

Next Town Assembly

Village of Arden

Monday, January 24, 2000

7:30 p.m.

Arden Gild Hall

AGENDA

- **Process for Nominations for Village Committees - Registration Committee**
- **Home Occupation Zoning - Trustees**
- **Craft Shop Acquisition - Archives**
- **Committee Reports in Regular Order**

Public town meeting. All are welcome.

Please note: Those attending town meeting are eligible to vote after six consecutive months as an Arden resident prior to the meeting and are 18 years old or older.

September 27, 1999 - Town Assembly for the Village of Arden Gild Hall - Arden, Delaware

Present:

Marguerite Archer	Heidi Hoegger	Sue Rothrock
Frank Akutowicz	June Irons	Johanne Schroeder
Lew Aumack	Rodney Jester	Rep. Wayne Smith - NV
Peggy Aumack	Deborah A. Kenney	Sadie Somerville
Beverly Barnett	Allan Kleban	Janie Stearns
Kate Bartolo	June Kleban	Jeffrey Steen
Lou Bean	Lynda Kolski	Leon Tanzer
Ruth Bean	Ken Lipstein	Mark Taylor
Jennifer Borders	Barbara Anne Macklem	Paul Thompson
Brooke Bovard	Frank Maier	Steven Threefoot
Bernard Brachman	Mary Marconi	Elizabeth Varley
Lizzie Broadbent	Albert Marks	Cecilia A. Vore
Walter Broadbent	Connee McKinney	Larry Walker
Drumlin Brooke - NV	Cookie Ohlson	Laura Wallace
Dela M. Bryan	Betty O'Regan	Jan Westerhouse
Bill Busch	Denis O'Regan	Tom Wheeler
Marianne Cinaglia	Ruth Panella	Mary Brent Whipple
Tim Colgan	Jim Parks - NV	Joan Zylkin
Alton Dahl	Bill Press	
Linda Eaton	Pete Renzetti	
Michael Falstad	Liz Resko	
Rachel Grier-Reynolds	Josiane Rey	
Aaron Hamburger	Gail Rinehart	
Sally Hamburger	Ed Rohrbach	
Amy Hill	Rick Rothrock	

1. Meeting called to order:

The meeting was called to order by the town assembly chairperson, Bill Press. All residents were welcomed and their participation encouraged. Bill Press announced that this would be the last town meeting for the century. We wouldn't be meeting again until the year 2000. He recalled some names and stories from the past, and congratulated everyone on doing a wonderful job on being able to govern ourselves independently. He looks forward to our town's centennial celebration in the year 2000.

2. Agenda Clarification: At this fall meeting, it is customary for the committee reports to be given in reverse order.

3. Introduction of Special Guests:

- *State Representative Wayne Smith:* Mr. Press introduced Rep. Smith and read a recent letter he received from him. The letter (dated September 14, 1999) mentions that Rep. Smith was able to secure funding for General Assembly Bond bill to use for street improvements in our town. The project funding is \$10,000 and will be given to the Civic Committee to be used for this purpose.

Representative Wayne Smith was invited to say a few words to everyone. He said we have had a good year with municipal street money. In addition to that, Marianne Cinaglia and others from our town have been instrumental in securing funding from the state and also the county to look at drainage issues at the Naaman's Creek watershed. We have a report which is about to be released, this report will be a planning model to help not only control storm water in the Naaman's Creek basin but also restore ecological and natural aspects of one of our great

waterways in the State. In addition to that, Bev Barnett has been a joy to work with and has tireless efforts in regards to her Harvey Road Traffic Calming Committee. This is a committed citizen and I don't think that the progress we've seen to date would have happened without her efforts. She has really carried the ball on this with the fire companies and with DelDOT. One thing I want to say about the intersection project that has gone in (Harvey & Veale Roads), I have heard from people in the adjacent areas that there is some noise associated with it, I know that Bev's committee and the community are planning to have more devices installed along Harvey Road. I just want to urge you to make it a full participation and discussion to make sure everyone is satisfied with the not only the traffic calming aspect but also the quality of life. We also had the purchase and transfer from DelDot of the parsons next to Ardencroft. It was appended to that town to preserve it forever. That's a wildlife area that will remain natural and pristine Ardencroft actually owns the gate to that parcel. He would like to thank everyone that has helped him be a better representative by telling him what our priorities are. He mentioned that anyone is welcome to call him or to meet him at his weekly Tuesday morning meetings at the Brew Ha Ha from 7:00 to 7:30 a.m.

- *Our Community Town Watch Coordinator, Kate Bartolo:* Tim Colgan introduced Kate Bartolo and then she gave the following report. She is the Town Watch Coordinator for the three villages of Arden. Number of incidents that were reported, but mentioned that she did ask the police for a report and they only sent her Ardentown, not all three villages. So she is only going on information that was reported to her. There were two incidents in the Village of Arden. That was along the pathways around midnight. Two sheds were burglarized and this is not something that Town Watch can observe. It happened on a summer night, she urged everyone to report any unusual activity. You do not have to be a Town Watch volunteer to report. The other incident happened in August. Car theft in Ardentown. It was at 11:30 at night. Town Watch was out this night, but it apparently was not observed. Her report was a representative of the time period from 6/20/99 to 9/27/99. Number of watches scheduled: 24; number of watches cancelled: 8; Total number taking place: 16.

These figures reflect the difficulty in generating interest and responses in the summer months. Participation goes down even lower than over the winter months when I have found it to dwindle due to inclement weather or "battle fatigue" from the holidays. Over the period from 1/01/99 to 3/03/99 there were 45 scheduled, 18 cancelled and 27 that took place. People were perhaps away and unable to monitor their answering machines, or, if they were contacted, were unable to commit to any dates at all over the summer due to scheduling overload.

For whatever reasons, this left the Villages with far less coverage over the summer than I am comfortable with. Asking for people to sign up for Town Watch with a plea in the Arden Page and sending out sign-up sheets in the mail haven't been the answer. When contacted, these people either want a walking patrol (highly discouraged by the NCCPD), don't want to sit in a car for two hours or when contacted, do not respond to messages left on their machines over the entire course of the summer. Kate mentioned that you can break a 2 hour watch into 1/2 hour increments, if you do have a problem with sitting for 2 hours at a time.

All I am left with is the ability to remind you that we can use more help. You don't have to make a commitment tonight, make certain this will fit into your schedule. If it does, you'll be helping all three Villages tremendously if you call me. My number is listed in the back of the directory as Town Watch Coordinator. Thank you, as always, to everyone who actively participates in Town Watch and also to those of you who may be able to contribute your time in the future.

Comments: One person mentioned that volunteering for Town Watch is a great opportunity to visit with a neighbor. She is part of a team that goes out 4 times during the year. The first time she went out, she went with someone she did not know at all and it has been a pleasure getting to know this other person. Plus, at the same time, it is serving the community.

- *Representatives from Sprint:* Gail Rinehart introduced David Orphanides and his

coworkers that came down from Philadelphia to answer any questions about the water tower issue that will be coming up under the Civic report.

4. **Correspondence:** Two letters were read by the secretary.

July 5, 1999

Arden Trustees
c/o Gail Rinehart
2116 Sherwood Road
Arden, DE 19810

Dear Arden Trustees:

ACRA would like to thank the Village for its annual donation of \$700 to our organization. We appreciate your commitment and continual support as we strive to unite the three communities with recreational and social activities throughout the year.

Sincerely,
Evelyn Knotts
Treasurer, ACRA

September 27, 1999

Mr. Chairman:

I believe a review of our policy regarding tree removal in Arden is in order. While I feel that our concern for preserving our trees and not leaving removal of same up to the whim of a resident is valid, I do believe it would be wise to have a well thought out policy which would include the use of a professional consultant to whom our trustees could turn for advice. Could we please allot a few minutes for comments from our residents?

Peg Aumack

Comments: Mr. Press asked for comments but also mentioned that we are already aware of the problem after what was done in Ardentown. Before they got to us, Marianne Cinaglia got together a group of people Arden, Ardentown, and Ardencroft and we got it stopped. He also thought the letter referred to trees in the town. There is a policy about leaseholders and what they can do and how they dispose of trees.

A comment was made that they agree with Peg. Floyd made it clear to us that our trees are old. It's time for us to take a real centennial census of what needs to come down. Bring somebody in to see what really needs to be done.

Others mentioned that they agree with Peg. The chairperson mentioned that a previous secretary years ago used to go through the woods with the Civic Committee and determine the life of some of the trees. There was a comment that they were fearful of bringing in a forester to make a decision about our trees, a professional forester always has to err on the side of caution. Remove the tree rather than risk what may happen. Peg stood up and said that we should still bring someone in and at least hear what they have to say. In the last storm two large trees came down, one hit a house the other did not.

The chairperson said he would bring this letter to the attention of the Civic Committee. He'll let them handle this situation.

5. **Minutes** from the last town meeting were approved.

6. **Trustees:**

1. **Taxes:** The Local School District and County taxes will be paid in the next couple of days. The total assessed value for Arden is \$14,186,600, up about \$243,000. The assessed value on our improvements this year is \$10,231,200.. This appears to be a significant increase over a single year but it is misleading because the County is continuing to catch up with themselves on past construction. We do track this issue closely to validate that their figures are correct. The assessed value of the land remains stable at \$3,955,400. Municipal lands such as the commons and forest are not taxed. With a tax rate of 1.4835 per \$100 of assessed value, also slightly up (.037), our tax obligation breaks down as follows:

New Castle County Taxes:	\$ 54,705.93
Local School District Taxes:	\$149,132.38
Rebates (sr. citizens and disability):	\$ 6,619.90

for a total tax obligation of \$210,458.21. This is about \$4,000 above the budgeted amount due to the above mentioned construction and fewer over-65 exemptions, a circumstance that is not always predictable when the budget goes to referendum. I do believe that the County is finally getting its records straightened out so I would not expect to see this large discrepancy in the future.

2. **Buckingham Green:** Marianne has written a letter to our lawyer in an effort to move this situation along at a faster clip. The lawyer has responded saying that the Buckingham Green Maintenance Corporation has not filed its latest set of papers. Our lawyer also has written to the Court asking it to "establish a schedule which requires the conclusion of briefing in the very near future and which marks the case for trial."

3. **Trees:** The story continues with Conectiv relating to the taking down and pruning of trees under the power lines along Harvey Road and within the Villages' boundaries. Issues relating to climate control, erosion, the timing and scope of the work, and alternative methods of accomplishing the common goals are part of the discussions. While we acknowledge that power is indeed a modern convenience, and that the Villages, due to early establishment and promotion of the garden city concept, present a somewhat unusual problem for the power company (newer communities do not have an extensive conflict of trees and power lines), we are trying to balance the company's desire to maintain the lines in a cost effective manner with our desire to maintain and promote a pleasant, safe and aesthetically pleasing environment for the Villages over the long term.

4. **Non-conforming Lots:** We continue to find little quirks in the process as we try to move toward finalization of the method for securing legal non-conforming status for the older, recognized lots. While the County continues to support the concept and has approved both of the variances brought to them since June, the Land Use and Legal departments have made an independent decision that could potentially put the Village in a vulnerable position under certain circumstances. This problem relates to the mitigating variance aspect of overall issues that may or may not, under certain conditions, throw the lot into an open zoning status, much like NC-5 zoning designation that we have specifically rejected about 2 1/2 years ago. We are seeking clarification as to whether this is, in fact, a threat to us or not, and exactly what is the proper interpretation and scope of the mitigating variance aspect should a non-conforming structure be destroyed. This non-conforming situation has been a problem we have been dealing with for two years. It is slow and it is frustrating and it is still going on. Hopefully we will see some resolution to this soon.

5. **Home Occupation:** Discussions have continued at the county level this fall, with the last

meeting of the Task Force being held a couple of weeks ago. The anticipated plan is now for the sponsors of that group, Bob Weiner and Karen Venesky to take the draft to the County Council and then the final County Council proposal will go to public hearing for comments and review by the wider constituency. Over the summer, the Villages' Home Occupation Group met and developed a document relating specifically to the Ardens, with significant input from the County Land Use and Legal departments that has attempted to tailor the needs of the three Ardens' small businesses with the county document. While Bob Weiner had specifically offered this opportunity publicly last spring, and still appears ready to support our unique situation, he was less than enthusiastic about the process that occurred over the summer. My guess is that he wants more personal involvement in the process. That aside, Mark Taylor will bring the generated Ardens' document for the Ardens' Home Occupation Group to the floor tonight for discussion.

6. Survey: The survey for the intersection at Marsh and Harvey Roads is complete. It delineates the boundaries of the Village lands from the corner monument on Marsh Road near the Milligan leasehold to an iron pipe on Pat Pyle's leasehold and from the point of Wayne Knott's leasehold down Harvey Road about 350 feet to the area of the Pump Path. We had 6 copies made that will be on file at the office. Should you need to borrow one, feel free to sign it out. I have placed a copy on the stage for those who wish to peruse it tonight. A point to note is that with the completion of this survey, the Village has now clearly documented our boundaries from Harvey Road near Meadow Lane and along the lands bordering Ardencroft and Sunset Farms, the entire length of Sherwood Forest and about half way along Marsh Road. This is a significant improvement.

7. Duffield Report: Update on the Duffield Report put together for the Naaman's Creek Flood Abatement Committee. When Marianne arrives she will discuss this.

8. The quarterly financial report on the entrance table is to be considered part of this report.

Respectfully submitted,
Gail Rinehart, Trustee

Discussion: Question: Will this survey of Marsh and Harvey Roads result in enlarging that intersection? *It delineates the Village lands. Does it look like we will lose some land? I'm not convinced that we can lose land, we have lost land. The pavement is encroaching in a couple of areas. Things are pretty tight up there. Have you thought about putting together a group regarding the Non-Conforming Lot issue? No, this is strictly a Trustee issue. We've been in this for two years, it's much too late to open this up to others. The County is supporting this. What is the cost to the leaseholders of gaining that non-conforming status? This is one of the unfortunate things. Gail used as an example a specific leasehold and what happened to them as they tried to gain a non-conforming status and had a certificate from the County. The cost to them was \$500 minimum and this seems to be a normal price. And that doesn't even include the lawyer costs. When Conectiv was talking about the trees, did it ever come up that this may be related to the timing of this and deregulation? No, it didn't come up. They are willing to meet with us. They have generated two or three possible suggestions. We are still in discussion with Conectiv. There was another comment regarding the cost for variances.*

Report approved.

7. **Centennial Report:** Bill Press gave this report. He said there's been a good group of people getting together and they have finally ironed out some ideas for next year. This group, though, is not enough to actually run the events. There is something almost every month of the year. On January 2, from 3-7 p.m. there will be a New Year's Kick-Off. Refreshments and music will be provided. It is a day for Ardenites to get together and celebrate the New Year. On the third Saturday of months (for 4 months), Mark Taylor is going to get together a lecture series. These will probably be in Gild Hall for 4-6 to be held after the dinners. In March we are planning that the Town Meeting will be on a Sunday afternoon and outsiders will be invited.

They may see how the government is run in Arden. Ardensingers will of course dedicate their April production to the Centennial. Then in May there will be a maypole dance. Pageant will be held during this month. In June we have the Shakespeare production. In July, Lynda Kolski will be holding a big birthday celebration in front of Gild Hall with candlelight illumination, local artists, refreshments. There may be a historic house tour. We've asked the Arden Club how they can help celebrate the Centennial with their Arden Fair. Then there's Henry George Day. Peg Aumack is planning something special for October. You can't do these things for free. You'll find in your budget a fair amount of money we have requested. Bill made an appeal to everyone to find it in their hearts to vote for this on the budget.

8. **Welcome Hither:** The Welcome Hither Committee has been working hard and had great cooperation. They are trying to catch up with people from over the last months. Cecilia is going over the procedure to see if something can be done. We are going over the information that is given to newcomers. If there are some inclusions that the committees would like to add to general information to newcomers. We would be glad to include information and pass it on to the newcomers. Please pass on newcomer's names to this committee.

Comment: It was suggested that if someone has a new neighbor to invite them over for tea, or something similar and invite others from Arden to come over. You can talk about the town and the committees.

9. **MOTION:** Tim Colgan made a motion to change the order of the committee reports.

"I'd like to move that the agenda be changed to have Archives report first. The reason for my motion is to specifically hear the report on the Craft Shop Acquisition early in the evening. In my opinion, this is an important message regarding Arden's future, and it should be heard early when attendance and participation can be considered."

Motion seconded. Motion approved.

10. **Archives:** The efforts of the Archives Committee for the last quarter have been directed to 2 areas - the Craft Shop acquisition, which will be discussed in a moment and the Arden picture book, which is one of this committee's contributions to the Centennial celebration. The chair would like to thank Sadie Somerville for directing the latter project and we remind people that we are still looking for photos, particularly from the last 50 years. If you have a favorite Arden photo that you would like to see considered for the book, please call Sadie as soon as possible.

The Craft Shop - One of the 3 charges given the Archives Committee by the Village of Arden is to "work towards creating and funding a permanent museum". To this end and in light of the imminent sale of the Craft Shop, the Village of Arden has established a Craft Shop Acquisition Committee to investigate the feasibility and desirability of purchasing this historic building as a permanent home for the Arden Museum. by vote at a special town meeting held on April 26, 1999, this committee was charged on behalf of the Town Assembly to:

- Determine the purchase price, renovation and other capital costs related to Craft Shop ownership.
- Determine the feasibility of raising the necessary capital funds.
- Develop a plan for managing the operations of the Craft Shop.
- Proceed with the Community Redevelopment Fund Grant.

Of these four charges, the first tackled was the Community Redevelopment Grant, which was submitted back in May. I am very pleased to report that our application was accepted and that Arden was awarded a grant of \$40,000 to begin the project, contingent, of course, upon a town vote to proceed. In large part this application was successful because of the efforts of our legislators Wayne Smith and Myrna Baird and on behalf of the Village of Arden, I would like to extend my thanks. I would also like to thank Robin Bodo and Gary Sachau, from the State

Historic Preservation Office, who wrote us a wonderful letter of support for the application.

The committee has also been successful in determining the purchase price of the building from the sellers, Bob and Phyllis Wynn. Bob and Phyllis have given the committee a letter of intent to sell for \$245,000, which matches an appraisal received this spring from the Delaware Appraisal Group. In addition, the Wynns have made a contribution of \$45,000 to the capital campaign in recognition of the uniqueness of this opportunity.

Legal issues were not supposed to be considered by this committee until a later date, however in the course of our research it was discovered that in order to proceed with a financial feasibility study, a legal framework had first to be determined. After consultation with both a lawyer and a CPA, it has been advised that due to liability concerns, a 501c3 corporation is the preferred legal structure for our situation. The committee, however, is still divided on this issue and are looking at other options as well. For the purposes of the financial feasibility study, however, which is to begin this week, it has been agreed that the committee's organizational plan is to "create a 501c3 corporation whose principle purposes are to purchase, preserve and operate the historic building known as the Craft Shop and establish and provide space for an Arden Museum."

In conclusion, while our committee has made significant strides in answering some of the questions placed in our charge by the town, we feel that further research is still necessary and are not prepared to make a recommendation to the Town at this time, we hope to have that recommendation later in the fall.

Budget: As the Craft Shop Committee has made clear from the inception of this project, should our recommendation be to proceed with the purchase of this historic building, a one time contribution of \$25,000 will be necessary from the town. According to our fundraising consultant Sonia Sloan, this money is critical to the success of any capital campaign because it shows commitment on behalf of the village. To that end, you will notice as you review this year's budget referendum that there is a line item request for \$25,000 from the Acquisition Committee. It is important to note that this expenditure is contingent on town approval of the final project. It is also important to note that this money is in addition to any operating expenses that the committee has requested, which include the \$2,000 already approved and the \$2,000 requested from this year's referendum. As explained in the approved motion at the April 26th Special Town Meeting, these monies are to be used for expenses from consultation with professionals, investigation of legal issues, capital fundraising, administrative costs and general costs incurred in executing the committee's tasks as charged by the Arden Town Assembly.

The chair of this committee would like to thank committee members: Alton Dahl, Linda Eaton, Aaron Hamburger, Lynda Kolski, Mary Marconi, Connee McKinney and alternate Tom Wheeler for the immense amount of time they have devoted to this project this summer. I would also, publicly, like to thank our attorney, Ted Rosenthal, who has donated all of his hours up to now to this project. And I would also like to thank Sonia Sloan, our fundraising consultant, who has donated her time as well.

One of the really wonderful things that has come out of this process is how committed people are to this village. A great education of that is the time donated not only from the Committee, but by the lawyer and the financial consultant as well.

My report is respectfully submitted, however, I do want to point out that according to the notes from the Special Town Meeting, April 26, 1999, our charge is that the Acquisition Committee shall report at each Town Assembly the progress of our work and request permission to continue with the charge. Before I do that the report has to be approved as given.

Respectfully submitted,
Mark Taylor, Archives Chair

Discussion: Did you say there's a one time contribution of \$25,000? *Yes, that's correct.* Would we get the \$25,000 back if this doesn't go through? *Yes, of course.* (Connie McKinney) I'm in a really awkward position here. I'm on the Acquisition Committee and those of you that came to the Special Town Meeting know that I expressed my opinion and I wasn't in favor of the town acquiring the Craft Shop as it was framed at that meeting. We've done a considerable amount of research and I admire all of the Committee members for their forthrightness and particularly commend Mark on his utter fairness in hearing us out. And as any of you know, when you are on a committee there is a lot of disagreements and it takes a special kind of person to handle this. It shows tremendous maturity. However, that being said, I have listened to all the research and I think that there are good cases for the town acquiring this villa. But I think we are at a critical point and I don't want the town to think that we're not. There's going to be a line item on the budget of \$25,000. That \$25,000 is key to the project moving forward. Initially, I am the type of person that would say let the process move forward. But, in this case I would like to stop it and vote against the \$25,000. And the reason I want to stop it in its tracks is because I want to make a case for keeping the Archives at the BWVC. It is extremely difficult when you are on the BWVC committee to toot your own horn. But the BWVC has been fully committed and they will accommodate the Archives in a suitable space in the building. I will be the first person to do anything I can to get them a better space. Taking on the Craft Shop is too big a project, too expensive a project, and high estimates (\$500,000 at last count). We could throw a coat of paint on it, and start collecting rent, yes, but I don't think that is what the town or the corporation will recommend. I would like to say to you, and I am uncomfortable saying this, if you want this to go forward vote for the \$25,000, if you still want to consider it going forward vote for \$25,000, but if you think it is a bad idea and want the energies to go to the BWVC, don't vote for it. *Bill Press mentioned that we have not accepted the report yet. The comments need to be about the report and then we will have a vote. And then we will have a vote whether we are asking the committee to proceed working on this.* As a member of the Committee, I strongly recommend that we do not wait until the referendum comes out on whether or not we have the Committee continue. If we are going to vote "no" let's vote "no" now. I am going to vote "yes" myself. *Bill Press asked for clarification. If we vote to proceed, but then it's not approved on the budget, what's accomplished then?* We would drop the project, without the commitment of the town, we believe we would be unable to get the funding. *I'm trying to get clarification on the report - can you explain the project?* Projected timeline I'm hoping that we can answer the 4 charges that were given sometime this fall or in January. The financial feasibility study, questions to answer regarding management and renovations. *I think what Connie is saying is that if we accept this report we are accepting the \$25,000.* No, that is not correct, and that is not what Connie meant by her statement.

Report approved.

Mark Taylor repeated his earlier statement: According to the charge that was given to us at the Special Town Meeting on April 26, 1999, it reads, "the Acquisition Committee shall report at each town assembly on the progress of their work and request permission to continue with the charge."

MOTION: The Acquisition Committee requests permission from the Town Assembly to continue with the charge as specified at the April 26, 1999 Special Town Assembly.

Discussion: If we are going to have Special Town Meetings in the fall regarding this, we should set that now. I travel a lot and make plans a month ahead of time. *I wish at this time I could do that, it would be the ideal scenario, however it may go until January.* I'm still undecided. I have reservations about it. If the vote for the \$25,000 is interpreted as support for purchasing the Craft Shop, then the vote is "no". I believe the committee should continue, there's many questions that have not been answered. I'm very uneasy about the money being passed under the table, it may be legal, I have a question of ethics on this. The other reservations I have is getting into the landlord business. *If the committee comes back and decides not to purchase then the \$25,000 will be returned.* Confused about the operating expenses. *We made a request for*

another \$2000. I think a lot of people keep forgetting about the whole purpose of the committee is to even see if this is feasible. If we stop this process now, we'll never know whether anything like this is possible in the future. There's always a chance to say "no" at the end of the process.

Motion approved.

11. Safety:

No report.

12. Registration: The Registration Committee has updated our records of residents and will submit with this report a current list of residents by last name and also by lot number. Our records show 266 households in Arden, with 379 eligible voters.

Communications with the Welcome Hither sub-committee have been revamped and the materials included in the Welcome packet have been revised. Today, Welcome Hither received requests for 15 new households; packets will be going out to the volunteers within the next few days for distribution to new residents. As chairperson of Registration, I apologize for the recent breakdown in the Welcome Hither Committee, which was caused by my own tardiness in updating our information and relaying it to Jannie Stearns.

The Budget Referendum and ballots for the election of Board of Assessors will be mailed between October 12 and 25. Return ballots will be addressed to Jennifer Borders. Ballots will be counted on Tuesday, November 9 at the Buzz Ware Village Center and observers are welcome to watch the counting process.

I do have my current list, if anyone would like to check the records tonight please see me.

Respectfully submitted,
Cecilia Vore, Chairperson

Report approved.

13. Playground: During June, July, and August, the Playground equipment was inspected, and it was also "adult tested" as an additional safety check. A safety inspection was made a week before the Arden Fair to ensure that all equipment was in safe condition for that one day of very heavy playground equipment use. Additional wood chips need to be put under some pieces of equipment to restore the shock absorbing ability of the "impact attenuating surface covering" and this is underway. All of the equipment is in safe condition.

The Playground Committee has submitted a budget line item to purchase and install a new piece of playground equipment to replace the giraffe at the north end of the Village Green. The giraffe is a very old piece of equipment, and in addition to having minimal play value, it is unsafe by current playground safety standards. The rope swing on the giraffe, was removed a few years ago, because a single piece of rope is now not considered as appropriate playground equipment. The giraffe has several entrapment points that are a safety hazard, and making welding repairs to eliminate the dangers is virtually impossible to do because of insurance liability requirements. In addition, if the Playground Committee becomes aware of an unsafe condition with the Town's playground equipment and it does nothing to abate the condition, then the Committee members could be made liable if a serious injury occurs.

The Committee's plan is that the yellow giraffe will be replaced as a "Double Humpty Climber" next Spring to provide a climber that several children can utilize at the same time. The area under the climber will be prepared to facilitate water drainage, and the area will be covered with playground mulch to provide a base that will soften any falls from the equipment. An article will be written for The Arden Page to describe our plans to the community, and hopefully this will

help to let more people know about the new equipment.

Respectfully submitted,
Larry Walker, Playground Co-Chairman

Discussion: If you want the giraffe cut down I'll cut it for you. We have many survivors of the giraffe. All my children and all my grandchildren have survived the giraffe. The other day I saw the Mr. Mulch drive around the green and drive onto the green from the baseball diamond and drove across from home plate over to the playground area. This was 2 days after all the rain and it was creating many ruts. Another person mentioned that should accept the recommendation of the Playground Committee. Remember we did kill one child due to unsafe equipment some 20 years ago. That's why the Playground Committee was formed. *Larry Walker was asked to explain what the replacement equipment would look like, and he had a picture of it on the sign-in desk.* More comments that people were not going to get sentimental about a giraffe playground equipment.

Report approved.

14. **Legislative Reference:** Legislative Reference is beginning corrections on the "Red Book", the Arden handbook. We have received a list of new residents from Registration to whom we will deliver copies. Notes on suggested corrections or updates, or requests for new copies, may be made to Brooke Bovard.

Respectfully submitted,
Brooke Bovard, Chairman, Legislative Reference

Report approved.

MOTION: Rodney Jester made the motion that the Civic Committee give their report next, since there were visitors that came from Philadelphia that have been waiting patiently.

Motion approved.

15. **Civic:**

1. Road repairs have been started by our road contractor, Earle Downing, Inc. Work should be completed in a few weeks. There is substantial damage to Little Lane from the work by United Water Co. Still waiting for their final plan for repairs.
2. Wayne Knotts should begin the cleanup around the edge of the Green, removing the gravel then adding topsoil and seed. We hope to have this done soon in October.
3. We hope to install the columns in the Field Theater this fall, November-December.
4. We will be sending letters to leaseholders reminding them of Ordinance #11 and ask them to start clearing rights-of-way where they have encroached. This is a joint Safety and Civic project. We did send letters out to leaseholders that live between Hillside and Millers. We had a complaint from a resident. He was not able to yield to an oncoming car. The rights-of-way need to be cleared. Take a look at your property. If you have boulders, plants in the right-of-way, you will need to remove them because we are going to start to enforce it. This has been an ordinance since 1990.
5. I would like to welcome Walter Broadbent to the Civic Committee. He has replaced Phil Fisher.

6. We have representatives from Sprint here with us this evening. They have asked permission to put antennas on the water tower, basically to accommodate communication services. As far as I can see these antennas would be for cellular phone use. They are not that large, they will benefit the larger community. I don't think it's a big deal. I would like to introduce David Orphanides.

David Orphanides: I'll first describe what we would like to do. There are drawings up here and I'll pass out smaller copies of them. Essentially what we are talking about is using the United Water tower on Fire Lane. We'd like to put up to 9 antennas on top of the tank, with cables running down the outside of the tank and down one of the legs, and some equipment which will be positioned on a steel platform within the fenced in compound. We will not be going outside the compound at all. It is an unmanned facility that will be checked once or twice a month. No one working there. No noise, no light generated by it, no flashing lights or markings. I did bring with me a design engineer who can answer any design/material questions. I also have with me a radio frequency engineer, who can answer questions why Sprint needs a site here. To make it simple, there is a hole here in this general facility. So if you are using a Sprint phone, you will have interrupted coverage. We need to put the antennas to connect to surrounding areas.

Discussion: *Are there any health hazards?* No. I did bring Dr. Kenneth Foster with me and he can address the health concerns. (Dr. Foster did a safety analysis and his findings are attached to these minutes.) *Will there be any financial compensation?* That's a very good question. Gail was kind enough to send us a copy of the deed and also a copy of the lease that presently exists between United Water and the Town of Arden. Gail would be best to answer that. Your lease is actually with United Water. (Gail) It is a 99-year contract with United Water, and they were supposed to be paying us \$1 a year. It was done in 1963. When the lands were transferred to the Village in 1972, it was a specifically delineated surveyed lease in the 1963 agreement but was not excluded from the transfer of the lands to the Village therefore it is Village land and the Village has to make a decision on this. *Gail, correct me if I am wrong - the contract that you sent me, basically delineates that United Water has a right to use it for water services and there will probably be a discussion between United Water and the Village of Arden. Not to speak for them, but I did speak to a representative from United Water and they are not against sharing with the Town of Arden. I think they do realize what they will need to do. There will definitely have to be negotiations sometime in the near future - I'm not sure how much it would be.* I'm concerned about the interference with my FM radio. *This is a low powered frequency and you should not get any interference. It simply isn't going to happen.* In the newspaper there's been a lot of articles regarding cellular antennas and the birds that are being killed by them. I'd like to know how tall this antenna is going to be? *The antenna will be approximately 6 feet tall. Because of the tree level, it's just going to just clearing the trees. The equipment will be on the ground and on the tower? Yes, it will.* Is there any way that children can get to this? *The equipment is made up of metal cabinets, weather tight, self contained radio equipment the size of a small refrigerator. Believe me, we don't want anyone getting into it any more than you do. There is a fence around the compound and if it was requested we would put another fence around the equipment. We don't want anyone to get into it for technical and liability reasons. Can Sprint interfere with Nextel? The FCC issues licenses to carriers to operate within a narrow frequency range and we are required to stay within this range. The FCC monitors these frequencies. Are there other options your company is looking into? Yes, we are exploring other options. If you wanted to expand any of this equipment what would be involved? We would have to go through zoning again. Under our lease we usually are limited as far as physical equipment. We would have to renegotiate for more equipment. How many others out there are going to be looking at Arden? There are other carriers in surrounding areas, their needs are different. Their sites may not have to be as close to each other. If they haven't already approached you, I can't guarantee that you won't be approached. Are we selling air space as a form of media?*

You would be allowing us to use a portion of your ground and a portion of the water tank, I don't know legally how it works with air space. I saw a television program on how we are selling out our air space. It's just a thought. Is this digital and analog? Sprint is all digital from the ground up. What areas would you serve? How many customers? I'm not exactly sure. If Reba would step up, she may be able to answer this. (She showed a colorized map of the Sprint coverage area.) There is an economic advantage by filling in the blanks. If there are other competitors that want to share that site, they are also going to be sharing a piece of the pie. How do you delegate a share of the profits to the people that may help you make it. You are asking to help you fill in this service area the other ones are going to want this too. If they start to compound on this particular site, how do have an agreement that is fair to everyone? First of all, different carriers have different sites. Basically the cell sites hook up like links on a chain. They all need to hook up or the chain is broken. Different carriers have different size links. So because of that, not every carrier needs to get on the same spot. Some carriers are closer, some are farther away, it depends on their technology. As far as your compensation, I think that was addressed earlier. That will come by any revenue sharing by Arden and United Water and that will come after some negotiations. Does that have any chance of interfering with MCI? No, that's a land line. Sprint is wireless. You do not expect any problems for us when you put this in. Suppose we comply and we experience problems and we have a long contract? Usually it is written in to the contract, but I have an attorney who would serve as our leasing attorney, he can address those questions. Now, just quickly there is an agreement that presently exists between Sprint and United Water. We might be able to use this as a basis, but it would be tailored to this specific site. What does Sprint's estimated annual profit on this? That, I don't know. That's determined by our headquarters in Kansas City. I didn't bring a person to answer that question, I'm sorry. Generally, the amount that Sprint is willing to pay is the general price for the area. As far as getting something approved, it would be pretty consistent to what others are getting paid in the area. Will these boxes have Sprint on them? No, they will just be plain metal cabinets. My question is, who will be negotiating for financial arrangements for the Town? I don't know, Gail? Trustees? (Gail) At this point, it would be me. Someone from the Town of Arden will be involved. What are we voting on? Apparently there will be a motion made to allow them to add antennas to the water tower. We really do not understand enough about this to make a final decision. You will be given a chance to be heard after the motion is made. It sounds like a presumption has been made that United Water to arrange a lease arrangement on the water tower, that United Water leases that space for their water operations. It is expected that we'll negotiate with United Water for any compensation for that. The truth might be that the land portion of that and that particular use of that land may attract others and Sprint might have to negotiate a lease with the community rather than United Water. (Gail) We have a contract with United Water for 99 years that says they may use it to maintain the water tower. This is the same as your leased land and the options you have with your property. So you are asking does United Water have the right to go into an agreement with Sprint? We are making that right now. If we say "no" then they will have to go find someone else.

MOTION: (Rodney Jester) I move that we accept putting the antennas on the water tower and that the proper representative from the Town negotiate with United Water for compensation.

Motion seconded.

MOTION: (Tim Colgan) I move that we table this discussion by saying that we have a responsibility to the greater community. We have big guns that come in here and we are just basically layman and I think after a half hour discussion that we are to accept this, it is very presumptuous. But because I do think that we do have a bigger responsibility to the greater community I think we need to sit back and if 3 months is too long to wait, than see you. But that gives us a chance to digest it and talk to our lawyer and do individually research. I strongly

recommend that we table this discussion.

Motion seconded.

FOR: 31 AGAINST: 22

Motion to table the discussion was approved.

Respectfully submitted,
Rodney Jester, Civic Chairperson

Discussion: Gail just wanted to point out that David Orphanides brought all these people at her request so that all questions could be answered. This was not to look like "big guns".

16. Community Planning:

Long-Range Cultural Plan - The committee is moving into the next phase of the village's long-range planning process, which will focus on the cultural future of the village. This will involve both defining what we mean by cultural future and developing our vision of the village as we move into the next century. We believe that Arden's Centennial is an ideal time to address this. Through a series of discussions, we hope Arden residents will express their individual ideas and build a vision for the future. During the next month or two, we'll begin putting together a working group to organize these discussions and events. Ideas and particularly volunteers are welcome. Mary Marconi is spearheading this effort, so anyone who is interested, see Mary.

Landmark Status - The Landmark Committee is targeting the year 2000 to obtain landmark status for the three Ardens. The challenge faced by the committee is seeking a national level of significance for the Ardens based not on architecture, but rather on our culture. The committee hopes to have a draft document ready for review and discussion by the Ardens in November or December. A community review workshop will be held before the January town meeting. Presentation to the state review board is expected to be in March or April.

Marsh/Harvey Intersection - Rep. Wayne Smith has asked DelDot to add several turn lanes to the Marsh/Harvey intersection. According to DelDot, Grubb Road will become three lanes at the intersection and Marsh will be four lanes each way. There will be a turn lane from Marsh Road to pinpoint where Arden land begins. There should be two public hearings on this, one held by Wayne Smith and one by DelDot. You are strongly encouraged to attend and make comments.

Parking Proposal - At the last town meeting we were charged with looking at parking issues. A parking task force with representatives from Community Planning, Civic, Safety, Buzz Ware and the Arden Club was formed, met and discussed parking issues. We recognize that certain large events necessitate the use of the greens, in particular Sherwood Green, for overflow parking. Our goal is to eliminate the casual, unnecessary parking on the green when parking is available on paved lots or the leasehold right-of-way, and only use the greens when absolutely necessary for large events. Everyone agreed that after obtaining the appropriate permission from Civic Committee, parking on any green must be properly managed.

The task force has developed the following proposal to address parking on all greens in Arden. Let me emphasize that this proposal does not eliminate overflow parking on Sherwood Green. Overflow parking will continue to be allowed on Sherwood Green, but ONLY during large events and ONLY when properly managed.

The proposal states:

There will be no casual parking on the green when there are available paved parking spaces or spaces on the leasehold right-of-way. Priority for parking will be given to the paved parking

areas at Gild Hall and BWVC. If these lots are filled then parking will be on the leasehold right-of-way. Each group or gild should inform its members of the appropriate places to park prior to a meeting or event. During large events at either BWVC or Gild Hall, managed parking will be permitted on Sherwood Green. Management of parking is the responsibility of the group organizing the event.

Sherwood Green will be gated with a temporary chain or rope with a sign that says "No access. Park on paved areas or right-of-way." Boulders will be placed to block all other access routes to the green. A sign will be posted at the basketball courts indicating parking for the courts is in the lot in front of BWVC.

On the Arden Green, parking will be on the leasehold right-of-way around the green. Only during unusually large events when sufficient parking is not available on the adjacent right-of-way, such as Arden Fair, and only with the appropriate permission from Civic Committee, will managed parking be allowed on the green.

In addition, both Arden Club and BWVC will encourage Arden residents to walk to events that they are sponsoring. During times when multiple events are occurring, residents will be encouraged to carpool, ride a bike or walk. Notices about this policy will be placed in the Page, Arden Club calendar and announced at Ardentown and Ardencroft town meetings.

MOTION: We propose and make a motion that this parking policy be instituted for trial period until the June 2000 town meeting at which time it will be reviewed to determine its impact. Our hope is that with enough awareness and cooperation, we can begin to minimize the parking problems without taking more stringent and/or costly measures.

Motion seconded.

If passed, the Parking Task Force will take care of any signs and the chain on the Sherwood Green. We will also make available maps for people who may be unfamiliar with where our leasehold right-of-way is, to show them where they can park. We also did a test run parking cars on the leasehold right-of-way around Sherwood Green and found there is room for 15-18 cars depending on their size and how they are parked.

Respectfully submitted,
Lynda Kolski, Community Planning, Chairperson

Discussion: If there is an event and someone is parking on the Green, who do we call? Civic Committee gives permission for Field Theatre and the Arden Green. If it is at that location, it is a Civic and Safety responsibility and you call someone from those committees. I like the idea that you say 'responsibility', but these permission forms should have the names of the person or persons posted. There was a wedding the other day and they were parked bumper to bumper around the Green and even onto Millers Road and you couldn't get through. Who is checking on this? The task force discussed this. There are special stickers that have been made and they will go on cars. I have a suggestion, reminders in the Arden Page and Calendar. (Cecilia Vore) I'm not sure of the wording as far as the Shakespeare Gild is concerned when you state unusually large events. Even though this may not be considered "unusually large" but it is very impractical to have people park around the Green. I want to make sure this is not to prevent Shakespeare Gild to park on the Green. Or I would like to have the language changed to "only during events when sufficient parking is not available or impractical. The Shakespeare Gild has always gone for permission and I'd like to see the Town's support for the Shakespeare Gild. (Tim Colgan) Safety doesn't give permission for the person that is using the Field Theatre or the Green, but we are copied on it and have the name of the person holding the event. So we can give backup if someone is illegally parked. We did discuss this particular issue. Again, remember that Rodney and I will be sending out letters to people that have their right-of-ways obstructed. (Cecilia) I would still like an answer either this

will not include the Shakespeare Gild or change the wording of this so that we will be able to park on the Arden Green. *This is not a run around Shakespeare Gild, around the Club, or anyone else. It is a policy for the Ardens because the parking situation has gotten out of hand. We have very limited, finite places for parking. We are have to start addressing it in a defined way. That is what this is about, this is not directed at the Shakespeare Gild or any other particular group. If that started because of problems on Sherwood Green but its also a problem on the Arden Green. If we need to make accommodations for handicapped or elderly that's fine. But if start making exceptions for Shakespeare Gild or anyone else than we have to make exceptions for everybody.* My concern is the Shakespeare Gild, I disagree with you entirely. We've always performed in an orderly way. We've always supervised our parking. We have never done any harm. I ask you that the Shakespeare Gild be allowed to conduct things as we see fit. We have permission from the Civic Committee when we do this, and I ask that we get to park on the Green. And I ask for the Town's support on this. And I ask with all the many production things that go on, to continue Shakespeare in Arden. I do not think there's a point of compromise here. We will serve our audience and community best by parking on the Green. This proposal if it any way limits us from parking on the Green, then I am totally against it. *The proposal is for a trial period and I think its worthwhile going through the trial period and see how it works.* I'd like to speak against the motion. Many of these people that park around the Green, block driveways, park farther in than right-of-ways. I find that it is safer for children, animals, elders to park on the Green. (Mary Marconi) We have an ordinance that people should park in the right-of-way. If we start having exceptions we will have a slippery slope. I think we need to support our ordinances. The motion says is that large events be permitted with permission from Civic when there is not sufficient parking around the Green. Another question: When there is a Dinner Gild event and something else going on upstairs at the Gild Hall, who is responsible for managing the parking? *Both groups have to have someone responsible for the event and they would also be responsible for managing the parking.* I do agree that we should not park on the Greens, but if we can get permission to park on the Greens, why the Shakespeare Gild can't just get permission to use the Green and then they just managed the parking. I have a problem, and I'm very much in favor of our speaker that parking on the Greens will only complicate the problems but I don't see the point in not favoring in writing that we can't support the Shakespeare Gild the same as the Arden Fair. We have people that come to the Shakespeare shows that can't see very well at night. Since we don't have street lights, I think that it's important that we park these cars for a couple of nights all together on the Green. After the show the flow of traffic is tremendous. (Mary Marconi) *As a member of the Community Planning Committee, I do not want to see this turn into against the Shakespeare Gild or not. I'm willing to open this wording up and work with the Shakespeare Gild on this.* (Cecilia Vore) If you remove "unusually large" - I'm willing to support the motion. Those are the words I feel are directed at us.

AMENDMENT: (Mary Marconi) "I would like to propose an amendment that adds Shakespeare and Arden Fair to the proposal as examples."

Amendment seconded.

Amendment approved.

Now we will vote on the original motion as amended.

Motion approved.

(The Harvey Road Traffic Calming Committee report was delayed due to voting for Assessors.)

(Cecilia Vore) We need 14 nominations. The following names were suggested. Cecilia

will check with each one to make sure they approve. Barbara Macklem, Alton Dahl, Lew Aumack, Pete Renzetti, Joan Zylkin, Lynda Kolski, Steven Threefoot, Mary Marconi, Mike Curtis, Rodney Jester, Rick Rothrock, Jim Larson, Tom Wheeler, Jim Schwaber, Elizabeth Varley, Larry Walker, Lou Bean.

Harvey Road Traffic Calming Committee: Since the June town meeting there has been considerable activity. Rather than provide a chronological review, I'll describe the current situation and the path ahead. On the strength of the 'consensus plan' (described by Walter Borders at our June Town Meeting), and the broad input it received, the project is now officially part of the CIP bond bill passed in August. \$850,000 are allocated for design and construction.

The project now enters the design phase. This will consist of two parts:

- Social, environmental and economic report (SEE) compiled by DelDOT on the cultural and historic impacts of the project. It takes approximately six months, perhaps a draft will be ready in February 2000.
- The engineering design phase. This is the actual technical design phase, resulting in engineering drawing and construction plans. This would typically take approximately 18 months, perhaps from March 2000 until September 2001.
- Adding all that up, construction would take place in roughly FY 2004 which begins in July 2002, depending on problems (or lack thereof) in this project as well as other unrelated projects.

We consider community input during the 24-30 month design phase to be essential. The mechanisms of this were discussed at the newly-convened Project Development Committee meeting on September 8. This Committee includes both Arden residents as well as representatives of the surrounding community and the fire company. DelDOT will play a stronger role as they will be requesting input (or getting it even without asking). Drew Boyce of DelDOT Road Design and newly-hired Reza Moghissi, DelDOT Asst. Chief Traffic Engineer responsible for traffic calming will be key people in this process.

One of the purposes of the Project Development Committee including surrounding community representatives is to avoid surprises at the public hearing. Compromises between most effective traffic calming and unimpeded emergency access remain an issue and will need to be worked out intersection by intersection.

Though most meetings will be posted with 10-day advance notice, it will be necessary on occasion for the group to meet on short notice when DelDOT hits snags. Many details of particular devices will need to be worked out during this process. Furthermore, there will be a DelDOT public hearing about a third of the way into the engineering phase, perhaps a year from now.

All meetings are posted on community bulletin boards. Full minutes of all meetings are available, and as always input from anyone is welcome and requested. Reports will continue at all three town meetings.

The Harvey-Veale construction was complete in August. The original intent of the project was to widen the intersection so DART buses could turn (a. without going into the opposing traffic lane, and (b. without increasing overall traffic speed, despite the widening.) Those goals were accomplished. Also the intersection-a place for caution-is more visible from a distance, and pedestrian crossings are enhanced.

However, noise and slipperiness were two unintended consequences that have caused a lot of concern in the Ardens. Noise occurs on 3 of the 4 center surfaces. DelDOT's first-time use of pressed and colored concrete was an experiment - something to document, learn from, and share what is learned. We've requested DelDOT's help to define the least-invasive solutions to reduce the noise. When DelDOT comes back to us with a suggested solution, a public meeting will be convened by Ardentown.

We think DelDOT reduced the slipping problem on the Veale Road hill. However, slipping is an unintended consequence on the textured concrete surfaces. Like us, DelDOT wants to solve the problem before there are accidents. They are investigating various solutions including the sealant used.

The median is also constantly being driven over. Plants will not survive. We are exploring hard surface alternatives to plantings, such as Belgian block or granite set in concrete. Additionally, the three immediate neighbors are particularly concerned that, even though the road was widened, there are still tire tracks on the shoulders.

There are lessons from this intersection work for the greater traffic calming project. Surface treatments that are likely to be noisy should be used only in areas where low speed is certain. Disruption due to construction needs to be considered in the design of the rest of the Harvey Road Traffic Calming project.

Technical highway engineering solutions are beyond our responsibility, expertise, and control. However, we have redoubled our Drive Twenty-Five efforts. We've asked again for a 3-way stop at the intersection (with due consideration given to possible increased pollution and noise), for truck restrictions, for a uniform 25 mph speed limit throughout the villages, and temporary use of an electronic speed display. These are all 'hard sells' with DelDOT. We are also exploring enhanced police enforcement. Tim Colgan, Chair of the Safety Committee is working with representatives from Ardentown and Ardencroft to explore Odessa's program, and what start-up funding is required from our three villages.

Again, with this report, the Harvey Road Traffic Calming Committee asks for two things from the Village Assembly: approval of what we've accomplished and support to continue working.

Respectfully submitted,
Beverly Barnett, Chair, Harvey Road Traffic Calming Committee

Discussion (Harvey Road): Did you say that the textured asphalt in the other sections of Harvey Road will be reconsidered? Yes, it's a matter of the material being used. Textured asphalt, such that is used at the crosswalk at Montessori, doesn't seem to create any noise problems. And the textured pavement at one of the four sections, doesn't seem to create problems. We have to look at this very carefully and we need to see the product being used in a similar intersection. The problem might be how the surface is pressed. There may be a hollowing out under the surface. Or the material might have been cured at a temperature that creates a ringing effect. A couple of years ago, Marianne Cinaglia and I went into Sherwood Forest and we took some measurements and we went back a few weeks ago and it is eroded at a tremendous cliff. I think because of the urgency of this, we can't wait for an official authority. We are losing some beautiful trees. We can't wait. I'd like this to be this committee's first priority. (Lynda Kolski) That's something I can't guarantee will be our number one priority, but we will definitely look into it. (Bev Barnett) There is a lecture on October 20, the topic is "How to exercise better forest stewardship" - I encourage everyone to attend and learn what we can do about this. We have the new Arden Book proofs here and we hope to have the Centennial available for parties, book opening, either right before the new year or right after the new year. (Lew Aumack) DelDOT has created disasters here and has given us very bad press. This is an Arden project and see what Arden has done. My

understanding is that this was not fully supported by the HRTC Committee. We need to have some press that says we don't think this was good either. What confidence can I have that their third, fourth and fifth projects will be any better? I don't know how we can have more impact on DelDOT? *When you talk about the Montessori project are you talking about the light? The crosswalk? That crosswalk is tested material. That is a fiasco. It is a materials test. It is not a psychological test to slow down traffic. DelDOT wanted to widen the intersection the intersection at Harvey and Veale. We told them "don't widen it, it will speed up traffic". We met with them and told them it would increase the speed and the whole effort of the HRTC is not increase the speed. DelDOT worked in partnership with us on ways to counteract the widening the intersection. I will not say that it was all DelDOT's fault, it was not.* (Bill Press) I'd like to make a comment. I do feel that there is a safety issue involved here, noise is one thing, but safety is another. *You are speaking of the slippage issue? Yes. We brought that to their attention 2 weeks after it was installed. Someone is going to get killed there, and I think you need to push more for that than the noise issue. Yes, I believe we have. We've given them lots of pressure and met with them regarding that.*

Report approved.

17. **Trustee Report (Marianne Cinaglia):**

Duffield Report - There was an article in the Arden Page that made some comments about the dams that were proposed along Sherwood Green and also on the south branch of Park Road there is a proposal to put a little riff wrap about 1500 ft. from Marsh Road. It looks like a lot of the Duffield suggestions have gotten poor reception from the communities involved. It also seems that Wayne and Myrna are trying to get it over with and put it on the shelf so they don't have to deal with it anymore. What I did was write two resolutions which I hope will address what is proposed on the Arden land, so we can get our opinions in. What I would like to do is read the resolutions and have an affirmed vote so I can get these on the record. There's one thing I need to mention as background. This started about 3 years ago, and one of the things that happened is right after Bob Weiner got elected he has series of meetings for county people of all kinds in the State to address the issue. Wayne and Myrna put in a joint resolution which clearly addresses the ecological and economic damage to the stream.

Resolution #1 (Naaman's Creek) - Whereas Senator Myrna Baird and Representative Wayne Smith issued a joint resolution recognizing the ecological of private property damage done by storms in the Naaman's Creek watershed and proposing that this damage be addressed. Whereas, the Naaman's Creek Flood Abatement committee report, prepared by Duffield, addresses the solution to high runoff in Perkin's Run, and in Naaman's Creek, by proposing riff wrapping of 1500 ft. of the south branch of Naaman's Creek is close to Arden and j-structures the water from hitting the banks with eroding force. Whereas, the published plans give no indication of the heights of the broad veins nor the source for what they were designed. Whereas, the report ignores many of the source systems upstream which are located at least 10 facilities. Whereas, the extreme damage to Arden forests which occurred in 1990's since Delaware's Storm, Water and Erosion Controls have been in effect. Whereas, the downstream effect of the riff wraps have not been indicated. Whereas, the non-practicality of the more environmentally friendly techniques is not indicated. Whereas, the potential additional damage to the stream and the stream banks during construction has not been addressed. Whereas, some riff wrapping of streams severely diminishes the stream's natural functions and values be it resolved that the residents of Arden charge the Naaman's Creek Flood Abatement Committee to designate the Duffield study as being too preliminary to use with the current recommendations and to seek the broadening of consideration of recommendations to more effectively address the issues listed in the joint resolution.

Resolution #2 (Perkins Run) - Whereas Senator Myrna Baird and Representative Wayne Smith issued a joint resolution recognizing the ecological of private property damage done by

storms in the Naaman's Creek watershed and proposing that this damage be addressed. Whereas, the Naaman's Creek Flood Abatement committee report, prepared by Duffield, addresses the solution to high runoff in Perkin's Run by proposing a dam in Sherwood Forest. Whereas, the report ignores the upstream sources of runoff including at least 5 storm water facilities. Whereas, the extreme damage to the forests has occurred in the 1990's since the Storm, Water and Erosion Controls have been in effect. Whereas, in the report there is no indication of the distance downstreams that the dam would mediate the flow. Whereas, the wooded areas themselves are effective indicators of surface flow leaf surface area. Whereas, the Arden's Sherwood Forest has been cited as an area important to migratory birds in the Atlantic flyway. The residents of Arden charge the Naaman's Creek Flood Abatement Committee to designate the Duffield study as being too preliminary to use with the current recommendations and to seek the broadening of consideration of recommendations to more effectively address the issues listed in the joint resolution.

MOTION: I would like to have the affirmation of the two resolutions, so that I may send this off to Senator Myrna Baird, and Representative Wayne Smith.

Discussion: I don't think the wording is strong enough. I would like to see the words "too preliminary" replaced with "unacceptable" and based on "antiquated techniques". *I was trying to get a point across without antagonizing people. There are some things in their report we can use, but it's not useful to come to their conclusions. I think that's what I was trying to say.* I would still like to see the word unacceptable in there, instead of too preliminary. I think it should say somewhere that "the residents of Arden do not find that the riff wrapping of Naaman's Creek for 1500 ft. to be an acceptable solution," and for the other "the residents of Arden do not find that the damming of Perkin's Run to be an acceptable solution." Somewhere we declare that these recommendations are not appropriate. Then they can go about their business of coming up with some other kind of recommendation. Another person thought that we should eliminate all the "whereas" words. *Bill Press mentioned that he did not want to go every word and detail, he just wants us to decide whether we agree with the idea of Marianne is proposing (sending this letter).* We have a motion to adopt the resolutions but we also have the suggestion from Jeff for a suggested change. Did Marianne accept this? *Yes.* Therefore, if the suggestion is made, I am seconding the motion.

Motion approved.

18.

Buzz Ware Village Center:

1. Town Budget - The proposed BWVC line items for the Arden Budget 3/00 - 3/01 have been submitted. We are requesting the same amount as in the past two years in order to continue with special projects to the building. One set of exterior doors in Room 3 was replaced with the remainder of the 98-99 renovation money from the town of Arden. The money allocated for the 99-00 budget will be used to replace exterior doors in Rooms 1, 2 and the hallway entrance next to Room 1 and to begin some bathroom improvements. The money being requested for the 00-01 budget would be used on renovation projects consistent with the masterplan currently being worked on, such as electrical, storage and bathroom improvements.

2. BWV Operating Budget - Attached is the breakdown for the BWVC operating budget for 98-99 and also a projection budget for 99-00. (A month by month breakdown of all income and expenses is also being submitted with this report). Of note is the shift of income. Currently our only long term tenant is the YMCA. The increase in BWVC sponsored activities is expected to contribute to our income and we expect short term rentals to follow a similar pattern. Also of note is Ardencroft's donation to the BWVC for 99-00. This, and the volunteer support of residents from Ardencroft, is a demonstration of increasing interest in the BWVC as our community center. The overall upkeep of the building is high on our list, as is reflected in the projection increase for maintenance. We were a little shy of breaking even last year and based on current projections we will do the same this year. Our bank account is in good standing and able

to absorb this loss.

3. Masterplan - The committee continues its work on developing a masterplan. A major part of this process is on hold until the decision on whether or not Archives is to remain at the BWVC has been made. However, the committee continues to work on program development and the physical improvements that would be necessary for short term goals, planning for long term goals will begin once we know the decision about Archives.

4. Visual changes - Two very obvious ones: The back windows of the building have temporarily been boarded up. During the ACRA program this summer a couple of screens fell down. These windows were already on our list of things to do but we had not reached a final decision about them. The windows could not be left unprotected so it was decided to board them up until we are able to determine what we will do to improve the screens. We've brought a little bit of color to the main hallway and judging from the comments of children and adults alike, it appears Betty O'Regan's masterful color scheme and patterning is a success!

5. Upcoming events - The Coffee House has resumed for the fall season. It continues to be a popular event and fun place to meet your neighbors. The next Coffee House will be Friday, October 8th at 8:00 p.m. Movie Night has a spin-off! "Off the Wall" Movie Night will present its third showing on Saturday, October 16th with a bonfire following the movie, weather permitting. Check out the Buzz Box in the Page for more details.

Respectfully submitted,
Marguerite Archer, BWVC Chairperson

Discussion: I would like to commend this committee for its vitality, imaginativeness, and I think they have done marvelously. I was on this committee and chaired it years ago, so I know. They are doing a great job! Another person mentioned they agree, but they just had a question about the accounting. The disbursement shows an investment purchase of \$7300, in fact that should shift from one account to another. *That's just pertaining to checkbook. That's my understanding of it.* That's inaccurate. In fact, previous reports had shown a reserve, and if it showed a reserve it would show that we switched the part of the reserve from the low interest Wilmington Trust checking account to the 106% Arden Building and Loan. *All I was asked to do was rectify the budget.*

19. **Budget:** Liz Resko went over the FY 2000-2001 Budget Projection that was available to everyone at the meeting and attached to these minutes. She highlighted some of the notes that are asterisks on the spreadsheet. For example, the Playground Committee has \$3,500 for new equipment to replace the giraffe; the Salaries for Town Secretary and Town Bookkeeper have increased due to Senate Bill No. 410, an increase of 3%; and the Centennial Celebration has two items noted on the budget. (See Budget attachment)

Respectfully submitted,
Liz Resko, Budget Chairperson

Discussion: Bill Press wanted to clarify the Centennial note - the \$2,000 under projected was \$2,000 that was in the '98-'99 budget. But since the Centennial Committee didn't actually spend any money, that money reverted back to the Town. We asked, and the Trustees agreed, that the money be put back and make it accessible to us. Down below, the \$2,000 that was for '99-'00 was \$2,000 that was voted for with a note to carry it over to the year of our actual expenditure. This will give us a total of \$12,000 to put this thing together. You will be asked to approve this budget by mail that you will receive in October. What you are approving tonight is just the report that is given. If you see anything tonight that feel is not right, then you can make a suggestion. Any other questions? Another person asked why there are so many notes, it is not necessary to explain things to residents. Many residents don't come to town meetings. Why should there be a note next to Registration? This is self explanatory. *I left it up to the discretion*

of the chairperson for each committee whether they wanted a note, and that is how these evolved.

Report approved.

20. **Audit:** No report.

21. **Assessors:** No report.

22. **Advisory:** We regret that we had such a long meeting.

23. **Old Business** - no old business.

24. **New Business** - Mark Taylor apologized for having this topic at the end of the town meeting, because he believes it is a very important topic. He handed out a letter that was addressed to all the residents of Arden. (See attached) It's a draft of the three Ardens exception to the New Castle County's section dealing with Home Occupation. Timing on this is very critical and he hoped that everyone will read over the draft. By the end of October this goes to public review, that's really too late, we have to try to get something in the code before that point to protect the Ardens. When you go through the document you will note that there are 2 or 3 paragraphs that due to feedback from various residents, there are some differences of opinions on paragraphs marked in the draft.

Discussion: Mark, what kind of action are you planning to have accomplished? *Given the time frame tonight, I do have a motion that I would like to read for support for adoption of the exclusionary paragraph that will pertain to the three Ardens.*

MOTION: The Village of Arden, having been established to demonstrate the workability of not only the tax theories of Henry George, but also the art and industrial theories of William Morris and Peter Kropotkin, is approaching the centennial of its founding. It is the understanding of the Village that New Castle County is considering adopting a zoning code severely limiting home based occupations which, we believe, would threaten the heritage and principles of this community. Therefore, the Village of Arden requests the County to make provisions in county code that would allow us to protect our founding principles into the next century.

Motion seconded.

Discussion: There was a question regarding all three towns being able to vote on this. *There's not enough time to have town meetings in all three Ardens, but they have empowered representatives from the two Ardens to make any decisions on this. There's no way we can go through the details tonight, but it is important that we get to the details. The key thing for the Ardens is the home occupation in accessory buildings. If we don't go through with this exception, some of our residents will be out of business. Their home occupations are in their accessory buildings and we can work out the details later. Another person was worried about the timing, there's still an opportunity for modification. (Visitor) I spoke with Bob Weiner and he feels the document is ready to proceed by the end of October. The County Council will approve before the public hearing. Legal comments from Gail. This is not in a form with the "or" to present to the County. If you are not going to present in this way, then that will be fine. We will be getting rid of the "or" before public hearing. The only thing I am asking tonight is for the motion read tonight. It is a very general motion. I realize that, but this is mainly for my clarification. What you are dealing with is leasehold land, there is a lot of support for this, but the Trustees must be involved in the negotiations. I do think that committee has been in communication with you. When you bring in an outsider as Bob Weiner, and you are looking at leased lands, you have to do more than just inform us. Alton Dahl disagreed. He said that the ability to pass laws in the charter of the Village is the function of the government, not the Trustees. (Gail Rinchart) I agree with you in some respects, and disagree with you in others. It is leased land. It's under a deed of trust. We have cooperated very well, but just had to make the*

statement. *Legality aside, we would include the Trustees just as a common courtesy. What are the major differences between the two proposals? We would have to compare the two, but signage is one; square footage; number of employees; etc. The original intent was white collar professional activities (Bob Weiner's proposal), people like plumbers, or other blue collar workers would have their businesses eliminated. The new proposal is expanded opening it up to other occupations. Then there's a matter of parking, signage, etc. (Tim Colgan) I support your efforts, and I hope anyone that moves to this village knows we have working artisans. I'm glad Alan Burslem is here, but the way that this is written it does not let any future Alan Burslem's move in to the Village. No accessory structures can be built after this code is in effect and in that case, I cannot support this. We are against the original intent of the founders. I'm glad to hear you say this. At the Ardentown meeting tonight, they said the same thing about no future accessory structures. I support the motion, but are you going to have a second motion to empower your Committee to go ahead and come up with a final draft? You can just handle it with that statement. You want it as final as possible. Are you going to have a second motion to do this? I didn't plan on it, but I will. After we do this motion, either you or I need to make the second the motion.*

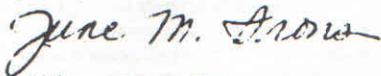
Motion approved.

MOTION #2: (Cecilia Vore) I move that we empower Arden's Home Occupation Task Force to continue meeting and come up with a final draft then be presented before next Town Meeting in cooperation with the Trustees.

Motion #2 seconded. Motion #2 approved.

Call for adjournment.
Meeting adjourned.

Respectfully submitted,



June M. Irons, town secretary

Village of Arden

Receipts and Bank Balances March 25, 1999 to August 31, 1999

Balance in Bank March 25, 1999	<u>51,691.46</u>
---------------------------------------	------------------

Receipts:

Grants		0.00
Interest & Dividends		<u>493.07</u>
Land Rent:		
Past Fiscal Year(s)		<u>3,383.81</u>
Present Fiscal Year		<u>175,236.58</u>
Future Fiscal Year(s)		<u>13.85</u>
Meadow Lane Access Rent		<u>285.37</u>
Memorial Garden Donations		<u>1,908.00</u>
Miscellaneous		<u>6,324.90</u>
Rights of Way:		
Cable TV		<u>1,621.74</u>
Roads		<u>0.00</u>
SUBTOTAL Receipts		<u>189,267.32</u>
Redeemed Investments	+	<u>0.00</u>
New Investments	-	<u>150,000.00</u>
TOTAL RECEIPTS		<u>39,267.32</u>

Receipts & Starting Bank Balance	<u>90,958.78</u>
Expenditures Against Budget	<u>54,919.82</u>
Balance in Bank as of August 31, 1999	<u>36,038.96</u>

NOTE: Investment Position

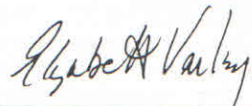
Arden Building and Loan		66,223.50
Vanguard Money Market		<u>328,421.48</u>
Other:		<u> </u>
TOTAL Investment Position		<u>394,644.98</u>

Signatures:

Trustee:



Admin. Assist.:



Village of Arden - Expenditures Against Budget March 25, 1999 to August 31, 1999

Committee	Budget Item	Budgeted Amount	Expenditures F.Y. to Date	Expenditures Since Last Report
	Archives	3,780.00	910.00	546.00
	Buzz Ware Village Center	1,000.00	503.43	503.43
	Buzz Ware VC. Renovation	6,000.00	0.00	0.00
	Centennial Celebration	4,000.00	0.00	0.00
	Civic Commons & Forest	15,000.00	6,307.04	4,525.35
	Civic Roads	15,000.00	1,305.00	1,305.00
	Civic Special Clean-Up	2,500.00	1,021.21	0.00
	Civic Trash Collection	36,500.00	15,150.15	9,162.05
	Community Planning	1,500.00	0.00	0.00
	Com. Plan - Grant Match Funds	3,000.00	0.00	0.00
	Legislative Reference	300.00	0.00	0.00
	Playground	1,550.00	453.08	175.00
	Registration	3,250.00	887.70	662.48
	Safety General	900.00	173.26	106.48
	Safety Town Watch Coordinator	2,268.00	945.00	567.00
	Welcome Hither	275.00	0.00	0.00
Salaries				
	Assembly Secretary	5,369.00	2,035.00	1,221.00
	Bookkeeping Services	2,205.00	835.00	501.00
Other Line Items:				
	Acquisition Committee/Craft Shop	2,000.00	0.00	0.00
	Arden Book Centennial Edition	7,851.00	300.00	0.00
	Board of Assessors	100.00	0.00	0.00
	Donations ACRA	700.00	700.00	0.00
	Donations Arden Library	450.00	450.00	0.00
	Donations Arden Page	1,100.00	1,100.00	0.00
	Donations Fire Companies	950.00	950.00	950.00
	Gild Hall Rental	700.00	700.00	0.00
	Telephone	260.00	114.51	67.75
	Contingencies	2,000.00	459.92	279.92

Notes:

Items Not Subject to Referenda

Memorial Garden Fund	—	1,369.98	283.75
Civic Grants	(a) 9,286.00	978.00	(c) 978.00
Com Plan - Grants	(b) 1,296.63	0.00	0.00
Taxes New Castle Co. Prop.	58,000.00	97.08	31.96
Taxes School	148,900.00	254.42	83.76
Administrative Auditing	4,000.00	0.00	0.00
Administrative Insurance	7,000.00	4,552.00	4,552.00
Administrative Legal	8,000.00	25.00	25.00
Administrative Office Rent	2,100.00	875.00	525.00
Administrative Operations/Fees	5,000.00	(d) 6,843.35	3,865.86
Administrative Payroll Taxes	1,800.00	1,775.44	1,060.12
Administrative Salary Ad. Asst.	8,820.00	3,675.00	2,205.00
Less Accrued Taxes		(825.75)	(495.45)

(a) Deferred Revenue (Audit '98-'99)
 '98 Bond Bill One-Time-Aid to Local
 Governments - \$4,036.00
 DOT '99-P-Prop-52 - \$5,250.00
 (b) Deferred Revenue (Audit '98-'99)
 Traffic Calming '97-P-Prop-117 -
 \$993.29
 Urban Forestry II - \$303.34
 (c) Expenditure One Time Aid to
 Local Government - \$978.00
 (d) Over expenditure due to cost of
 survey of Marsh/Harvey Rd.
 Intersection - \$3,250.00

TOTAL 374,510.63 54,919.82 33,687.46

KENNETH R. FOSTER & ASSOCIATES*Electromagnetic Safety Consulting*

September 12, 1999

Mr. David Orphanides
Gael Communications
1519 Green Street,
Philadelphia, PA 19130

Dear Mr. Orphanides:

This is in response to your request for a radiofrequency (RF) safety analysis for a proposed Sprint PCS radio installation to be located on a United Water Company water tank on Fire Lane (off from Marsh Rd), Arden DE, and an opinion concerning the compliance of the facility with FCC RF exposure limits. This site carries Sprint identification number PL33XC468.

Summary of Findings The maximum exposure to radiofrequency emissions from the proposed Sprint base station will be below FCC and other exposure limits at all locations of public access by a large factor in excess of 2,000. The site meets FCC regulations related to RF energy exposure as stipulated in Part 24 of the FCC Rules and this site has been evaluated based on methods prescribed by the FCC (as contained in FCC Document OET Bulletin 65). My conclusions would not be affected by the presence of other low-powered communications antennas on the structure.

Technical Data This report is based on data about the site that you supplied to me on 9/10/99. In addition, I used the standard base station design parameters used by Sprint which I have obtained on several occasions from the company itself.

The Sprint system will consist of directional transmitting antennas (DAPA58010 or equivalent) mounted on the top of the tank at an elevation of 135 ft above grade. The antennas will be arranged in three sectors, 120 degrees apart, directed towards the horizon (with one transmitting antenna per sector). In each sector there will also be one or more receiving antennas of a similar type. In each sector, the Sprint system will transmit using a maximum of three channels at an effective radiated power (ERP) of 200 watts per channel.

Environmental Levels of RF Energy I have calculated the power densities of RF energy at several distances from the Sprint base station based on the data supplied to me.¹

My calculations include a number of approximations intended to provide a worst-case analysis. I assumed that the antennas are directed at an angle 5 degrees below the horizon (5 degree downtilt) and that there is constructive interference as the beam reflects from the ground. In addition, I ignore the absorption of the signal by building materials. All of these assumptions will tend to overestimate the actual signal levels from the base station.

¹ Calculations were done in accordance with FCC Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields," Washington DC 1997.

Mr. David Orphanides

September 12, 1999

Page 2

My calculations show that the maximum signal intensity from the proposed Sprint antennas will be below 0.5 microwatt per square centimeter ($0.5 \mu\text{W}/\text{cm}^2$) at ground level or at a height of 26 ft. above grade. At any elevation (even in the main beam of the antennas) the signal intensity will be below $3 \mu\text{W}/\text{cm}^2$ at any distance more than 300 ft from the antennas.

The Table below summarizes major exposure standards for radiofrequency energy in the frequency range used by Sprint Spectrum.

Exposure Standards for RF Energy at PCS Frequencies

	Maximum Permissible Exposure (1900 MHz) in $\mu\text{W}/\text{cm}^2$
American National Standards Institute/ Institute of Electrical and Electronics Engineers ANSI/IEEE (1992) uncontrolled exposure (applicable to the general population)	1500
World Health Organization/International Radiation Protection Association WHO/IRPA (1993) general population	1000
National Council on Radiation Protection and Measurements NCRP (1986) general population	1000
Federal Communications Commission (FCC) maximum permissible exposure, general population	1000
Maximum exposure From proposed site at ground level or height of 26 ft.	<0.5

These results show that public exposure to the radiofrequency emissions from the Sprint base station will be below the FCC (and other major) exposure limits by a large factor of more than 2,000. In particular, the site meets the FCC regulations as stipulated in Part 24 of the FCC Rules, and the site has been evaluated according to the method prescribed by the FCC (FCC Bulletin 65).

Antennas Mounted on Building Rooftops or Water Tanks FCC exposure limits can be exceeded very close to the antennas (within 10-20 ft directly in front an antenna, in its main beam), so personnel should not be permitted directly in front of the antennas while they are transmitting. In the present application, such direct exposure seems unlikely to happen. Nevertheless, some provision might be needed to turn off the transmitters during some maintenance operations when workers might be located directly in front of the antennas.

Co-Location of Base Stations. In practice, because of their low power levels, many different communications antennas can normally be located on the same structure without exceeding RF exposure limits. Co-location is becoming the customary practice in the wireless industry, to reduce the number of towers needed and thus reduce the impact on communities. In general, if all of the transmitters are low-powered communications systems, exposure levels will invariably be far below regulatory limits except in the very close proximity to the radiating surfaces of the antennas. I have not analyzed RF exposure levels from other antennas on this site, however.

Mr. David Orphanides
September 12, 1999
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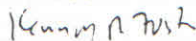
To put these results in perspective, PCS facilities such as the proposed Sprint base station, operate at low power levels, with total radiated powers typically of the order of a few tens of watts. This is in contrast to AM, FM, and television broadcast facilities, which commonly radiate 50,000 watts or more.

National Telecommunications Act of 1996 This Act provides that "no state or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the commission's regulations concerning such emissions." The FCC has recently published regulations concerning exposure limits that are closely similar to the American National Standards Institute (ANSI C95.1-1992) limits. The emissions from the proposed Sprint base station are far below these limits.

Discussion The biological effects of RF energy have been extensively studied, and several thousand reports exist in the scientific literature on this subject. These reports have been critically reviewed by numerous independent panels, including the Environmental Protection Agency, the National Institute for Occupational Safety and Health, the National Council on Radiation Protection and Measurements, the American National Standards Institute, and the International Radiation Protection Association. All of these groups have recently affirmed existing health standards, or have developed and proposed health standards for exposure to RF energy, including the standards cited in the table above. Power density levels of the magnitude that result from the proposed cell site are not a subject for serious concern or even speculation with regard to potential hazards.

For Further Information The Federal Communications Commission (FCC) maintains a World Wide Web site at <http://www.fcc.gov>. A general information sheet about possible health and safety issues regarding radiofrequency energy is at: <http://www.fcc.gov/oet/rfsafety/cellpcs.html>.

Sincerely yours,



Kenneth R. Foster, Ph.D., P.E.

Mr. David Orphanides
 September 12, 1999
 Page 4

SUMMARY RESUME

NAME Kenneth R. Foster

DATE/PLACE OF BIRTH July 21, 1945
 Baltimore, Maryland

NATIONALITY United States Citizen

EDUCATION 1967 B.S. (Honors) Physics
 Michigan State University
 1971 Ph.D. (Physics)
 Indiana University
 Professional Engineer in the State of Pennsylvania
 (Certificate Number: PE-030018-E).

EMPLOYMENT
 Lieutenant, Medical Service Corps, USNR 1971-6
 Department of Bioengineering
 University of Pennsylvania 1976-present
 Postdoctoral Fellow (1976-7)
 Assistant Professor (1977-83)
 Associate Professor (1983-present)
Profum 1995

HONORS/DISTINCTIONS

Indiana University Physics Department Award for Excellence in Teaching, 1970.
 Defense Nuclear Agency Certificate of Achievement, 1976.
 Fellow, Institute of Electrical and Electronics Engineers, 1988.
 Fellow, American Institute of Medical and Biological Engineering, 1991

PROFESSIONAL SERVICE

AdCom, IEEE Engineering in Medicine and Biology Society, 1984-6, 1988-
 Associate Editor, IEEE Transactions on Biomedical Engineering, 1985-1989
 Program Chair, 1987 IEEE EMBS Annual Meeting (1200 papers presented)
 Conference Chair, 13th Annual Northeast Bioengineering Conference, 1987
 Vice-Chair (Chair-Elect), IEEE Committee on Man and Radiation 1995-
 Chair, IEEE EMBS Ethics and Professional Responsibility Committee, 1989-1993
 President, IEEE Society on Social Implications of Technology 1994-
 President, Philadelphia Society for Risk Analysis 1996-

RESEARCH EXPERIENCE AND DIRECTION

Since receipt of the Ph.D. in 1971, Dr. Foster has been engaged in studies on the interaction of nonionizing radiation and biological systems, with 80 papers in peer-reviewed journals on topics including biophysical mechanisms of interaction, electrical properties of biological materials, and medical applications. In addition he has written widely about the public controversy surrounding these issues. He is author or editor of two books on risk assessment and the law.

Sept. 27, 1999

The Buzz Ware Village Center depends on two sources of funding to meet annual obligations.

1. The BWVC Operating Budget, a separate account, controls the revenues and associated expenditures relating to the daily operation and maintenance of the Center.
2. The Town Assembly budget provides for administrative/programming expenses and for town authorized special needs.

BWVC Operating Budget		
	Actual 3/25/98 - 3/24/99	Projection 3/25/99 - 3/24/00
REVENUES		
Interest		
Bank Interest	\$ 213.54	\$198.96
Misc. Income		
Accuracy credit	\$ 10.00	
BWVC activities	\$ 58.00	\$ 2,000.00
Donation, Ardencroft	\$ 200.00	\$ 1,000.00*
Donation, Ardentown	\$ 500.00	\$ 500.00
Stagehands	\$ 275.00	\$ 300.00
Subtotal:	\$ 1,043.00	\$ 3,800.00
Rental Fees:		
Archives	\$ 2,184.00	\$ 2,184.00
Hand-In-Hand	\$15,520.00	\$ 0.00
Other rentals	\$ 271.00	\$ 924.00
YMCA	\$ 5,890.00	\$12,000.00
Subtotal:	\$23,865.00	\$15,108.00
Other income:		
Credit for lost check	\$ 116.62	
TOTAL INCOME:	\$25,238.16	\$18,908.00
* This is an actual amount already received.		
DISBURSEMENTS		
Bank charges	\$ 41.75	\$ 50.00
Investment purchase	\$ 7,300.00	\$ 0.00
Bldg & Loan acct.		
Maintenance & Supplies	\$ 7,112.09	\$ 8,500.00
Payroll		
Wages, Net	\$ 4,820.64	\$ 4,820.64
Payroll Taxes	\$ 875.91	\$ 875.91
Subtotal:	\$ 5,696.55	\$ 5,696.55
Utilities		
Electricity	\$ 2,967.48	\$ 2,400.00
Oil	\$ 1,416.43	\$ 1,416.43
Phone	\$ 387.41	\$ 290.00
Water	\$ 804.28	\$ 700.00
Subtotal:	\$ 5,575.60	\$ 4,806.43
TOTAL DISBURSEMENTS:	\$25,725.99	\$19,052.98
Year Profit:	\$ -487.83	\$ -144.98

TOWN ASSEMBLY BUDGET

	3/25/98 - 3/25/99	3/24/99 - 3/25/00
ADMIN/PROGRAMMING	\$ 1,000.00	\$ 1,000.00
RENOVATION PROJECTS	\$ 8,000.00	\$ 8,000.00

September 27, 1999 Arden Town Assembly

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Num	Date	Payee	Category	Amount	Running Total
INCOME CATEGORIES					
Credit-lost check				118.62	118.62
5/1/98				118.62	118.62
Total Credit-lost check				118.62	118.62
Interest					
3/26/98	Wilmington Trust	Interest : Bank Interest	21.72	21.72	21.72
4/27/98	Wilmington Trust	Interest : Bank Interest	24.29	46.01	46.01
5/27/98	Wilmington Trust	Interest : Bank Interest	23.18	69.19	69.19
6/25/98	Wilmington Trust	Interest : Bank Interest	19.83	89.02	89.02
7/27/98	Wilmington Trust	Interest : Bank Interest	14.57	103.59	103.59
8/26/98	Wilmington Trust	Interest : Bank Interest	13.25	116.84	116.84
9/25/98	Wilmington Trust	Interest : Bank Interest	14.87	131.71	131.71
10/28/98	Wilmington Trust	Interest : Bank Interest	17.69	149.40	149.40
11/25/98	Wilmington Trust	Interest : Bank Interest	15.58	164.98	164.98
12/28/98	Wilmington Trust	Interest : Bank Interest	17.28	182.26	182.26
1/27/99	Wilmington Trust	Interest : Bank Interest	15.46	197.74	197.74
2/24/99	Wilmington Trust	Interest : Bank Interest	15.90	213.54	213.54
Total Interest				213.54	213.54
Misc. Income					
5/27/98	Wilmington Trust	Misc. Income : Accuracy credit	10.00	10.00	10.00
3/8/99	Coffee House	Misc. Income : BWWC activities	58.00	68.00	68.00
8/23/98	Directors of Ardencroft	Misc. Income : Donation	200.00	268.00	268.00
2/22/98	Village of Ardencroft	Misc. Income : Donation	500.00	768.00	768.00
2/1/98	Neal Van Duren	Misc. Income : Other rentals	30.00	798.00	798.00
2/22/98	Dreabach et al	Misc. Income : Other rentals	97.00	895.00	895.00
3/8/98	Neal Van Duren	Misc. Income : Other rentals	30.00	925.00	925.00
3/22/98	Various rentals	Misc. Income : Other rentals	114.00	1,039.00	1,039.00
5/9/98	Stagelands	Misc. Income : Stagelands	25.00	1,064.00	1,064.00
5/1/98	Stagelands	Misc. Income : Stagelands	50.00	1,114.00	1,114.00
8/15/98	Stagelands	Misc. Income : Stagelands	25.00	1,139.00	1,139.00
7/23/98	Stagelands	Misc. Income : Stagelands	25.00	1,164.00	1,164.00
9/18/98	Stagelands	Misc. Income : Stagelands	50.00	1,214.00	1,214.00
11/7/98	Stagelands	Misc. Income : Stagelands	25.00	1,239.00	1,239.00
1/16/98	Stagelands	Misc. Income : Stagelands	25.00	1,264.00	1,264.00
1/8/99	Stagelands	Misc. Income : Stagelands	25.00	1,289.00	1,289.00
1/18/99	Stagelands	Misc. Income : Stagelands	25.00	1,314.00	1,314.00
Total Misc. Income				1,314.00	1,314.00
Rent					
5/9/98	Archives	Rent : Archives(Trustees of Arden)	182.00	182.00	182.00

Buzz Ware Village Center - Fiscal Year 1998-99 - by Category
 BWVC Checking
 3/25/98 Through 3/24/99

Num	Date	Payee	Category	Amount	Running Total
	5/27/98	Archives	Rent : Archives (Trustees of Arden)	182.00	304.00
	6/24/98	Archives	Rent : Archives (Trustees of Arden)	182.00	546.00
	7/23/98	Archives	Rent : Archives (Trustees of Arden)	182.00	728.00
	8/23/98	Archives	Rent : Archives (Trustees of Arden)	182.00	910.00
	9/24/98	Archives	Rent : Archives (Trustees of Arden)	182.00	1,092.00
	10/31/98	Archives	Rent : Archives (Trustees of Arden)	182.00	1,274.00
	11/25/98	Archives	Rent : Archives (Trustees of Arden)	182.00	1,456.00
	12/21/98	Archives	Rent : Archives (Trustees of Arden)	182.00	1,638.00
	1/24/99	Archives	Rent : Archives (Trustees of Arden)	182.00	1,820.00
	2/22/99	Archives	Rent : Archives (Trustees of Arden)	182.00	2,002.00
	3/22/99	Archives	Rent : Archives (Trustees of Arden)	182.00	2,184.00
	4/6/98	Hand in Hand	Rent : Hand-in-Hand	1,440.00	3,624.00
	5/12/98	Hand in Hand	Rent : Hand-in-Hand	1,280.00	4,904.00
	6/5/98	Hand in Hand	Rent : Hand-in-Hand	1,280.00	6,184.00
	7/10/98	Hand in Hand	Rent : Hand-in-Hand	1,280.00	7,464.00
	8/5/98	Hand in Hand	Rent : Hand-in-Hand	1,280.00	8,744.00
	9/5/98	Hand in Hand	Rent : Hand-in-Hand	1,280.00	10,024.00
	10/4/98	Hand in Hand	Rent : Hand-in-Hand	1,280.00	11,304.00
	11/1/98	Hand in Hand	Rent : Hand-in-Hand	1,280.00	12,584.00
	12/8/98	Hand in Hand	Rent : Hand-in-Hand	1,280.00	13,864.00
	1/6/99	Hand in Hand	Rent : Hand-in-Hand	1,280.00	15,144.00
	2/7/99	Hand in Hand	Rent : Hand-in-Hand	1,280.00	16,424.00
	3/6/99	Hand in Hand	Rent : Hand-in-Hand	1,280.00	17,704.00
	3/30/98	YMCA	Rent : YMCA	330.00	18,034.00
	5/12/98	YMCA	Rent : YMCA	330.00	18,364.00
	5/27/98	YMCA	Rent : YMCA	330.00	18,694.00
	6/6/98	YMCA	Rent : YMCA	2,800.00	21,494.00
	1/6/99	YMCA	Rent : YMCA	700.00	22,194.00
	2/1/99	YMCA	Rent : YMCA	700.00	22,894.00
	3/6/98	YMCA	Rent : YMCA	700.00	23,594.00
Total Rent				23,594.00	
TOTAL INCOME CATEGORIES				25,238.16	

EXPENSE CATEGORIES

Bank Charges	2/4/99	Wilmington Trust	Bank Charges	(41.75)	(41.75)
Total Bank Charges				(41.75)	
Investment purchase	11/89	Arden Building & Loan	Investment purchase	(7,300.00)	(7,300.00)
Total Investment purchase				(7,300.00)	

4/5/99

Buzz Ware Village Center - Fiscal Year 1998-99 - by Category
 BWC Checking
 3/25/98 Through 3/24/99

Page 3

Num	Date	Payee	Category	Amount	Running Total
Maintenance					
1166	3/26/98	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(146.47)	(146.47)
1173	4/25/98	Robert L. Johnson	Maintenance : Cleaning supplies	(71.10)	(217.57)
1177	5/10/98	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(156.97)	(374.54)
1176	5/10/98	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(116.62)	(491.16)
1186	6/7/98	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(32.46)	(523.65)
1190	6/20/98	Robert L. Johnson	Maintenance : Cleaning supplies	(73.47)	(597.12)
1195	7/5/98	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(62.85)	(659.97)
1203	7/25/98	Robert L. Johnson	Maintenance : Cleaning supplies	(42.61)	(702.58)
1205	8/5/98	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(62.37)	(764.95)
1214	9/6/98	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(107.70)	(872.65)
1228	10/25/98	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(88.12)	(960.77)
--VOID--	11/7/98	Robert L. Johnson	Maintenance : Cleaning supplies	(101.38)	(1,062.15)
1232	11/7/98	Robert L. Johnson	Maintenance : Cleaning supplies	(101.38)	(1,211.71)
1234	11/15/98	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(128.56)	(1,316.72)
1247	12/28/98	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(104.01)	(1,396.15)
1248	1/8/99	Robert L. Johnson	Maintenance : Cleaning supplies	(63.43)	(1,508.74)
1280	2/7/99	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(91.34)	(1,600.08)
1271	3/7/99	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(30.57)	(1,630.65)
1277	3/24/99	Diamond Chemical & Supply	Maintenance : Cleaning supplies	(1,157.84)	(2,788.29)
1279	3/24/99	Pollock Construction	Maintenance : Repairs	(87.29)	(2,875.58)
1180	5/16/98	Mark Taylor	Maintenance : Repairs	(58.75)	(2,934.33)
1181	5/16/98	Pollock Construction	Maintenance : Repairs	(98.50)	(3,032.83)
1188	6/7/98	Pollock Construction	Maintenance : Repairs	(30.00)	(3,062.83)
1189	7/21/98	Mark Taylor	Maintenance : Repairs	(623.82)	(3,676.75)
1200	7/21/98	Mark Taylor	Maintenance : Repairs	(466.00)	(4,165.75)
1206	8/17/98	Pollock Construction	Maintenance : Repairs	(90.85)	(4,256.60)
1220	9/29/98	Charles Till	Maintenance : Repairs	(56.73)	(4,313.33)
1221	9/29/98	Mark Taylor	Maintenance : Repairs	(160.00)	(4,473.33)
1233	11/7/98	Toto Electronics	Maintenance : Repairs	(128.64)	(4,601.97)
1236	11/15/98	Mark Taylor	Maintenance : Repairs	(863.50)	(5,465.47)
1243	12/21/98	Pollock Construction	Maintenance : Repairs	(85.82)	(5,551.29)
1254	1/17/99	Mark Taylor	Maintenance : Repairs	(138.50)	(5,720.59)
1268	2/21/99	Pollock Construction	Maintenance : Service contracts	(239.00)	(5,919.59)
1174	4/25/98	Burns and McBride	Maintenance : Service contracts	(65.50)	(6,010.09)
1194	7/5/98	Professional Security	Maintenance : Service contracts	(85.50)	(6,101.59)
1213	8/6/98	Professional Security	Maintenance : Service contracts	(67.00)	(6,168.59)
1240	12/9/98	Professional Security	Maintenance : Service contracts	(182.50)	(6,351.09)
1285	2/21/99	Brandywine Mechanical Services	Maintenance : Service contracts	(85.50)	(6,436.59)
1270	3/7/99	Professional Security	Maintenance : Service contracts	(296.00)	(6,732.59)
1274	3/13/99	Burns and McBride	Maintenance : Service contracts	(654.09)	(7,386.68)
Total Maintenance				(6,843.09)	(7,386.68)

Buzz Ware Village Center - Fiscal Year 1998-99 - by Category
 BWVC Checking
 3/25/98 Through 3/24/99

Num	Date	Payee	Category	Amount	Running Total
Other					
1222	8/26/98	Toto Electronics	Other : Fee	(198.00)	(198.00)
1193	8/24/98	Austin & Pruitt	Other : Inspection	(21.00)	(218.00)
1255	1/17/99	Division of Boiler Safety	Other : Inspection	(25.00)	(244.00)
1278	3/24/99	Division of Boiler Safety	Other : Inspection	(25.00)	(269.00)
Total Other				(269.00)	
Salary					
1171	4/18/98	Robert L. Johnson	Salary	(401.72)	(401.72)
VOID	5/23/98	Robert L. Johnson	Salary	(401.72)	(401.72)
1184	5/23/98	Robert L. Johnson	Salary	(803.44)	(803.44)
1191	8/24/98	Robert L. Johnson	Salary	(401.72)	(1,205.16)
1201	7/24/98	Robert L. Johnson	Salary	(401.72)	(1,606.88)
1206	8/23/98	Robert L. Johnson	Salary	(401.72)	(2,008.60)
VOID	8/24/98	Robert L. Johnson	Salary	(401.72)	(2,008.60)
1217	9/24/98	Robert L. Johnson	Salary	(401.72)	(2,410.32)
1227	10/24/98	Robert L. Johnson	Salary	(401.72)	(2,812.04)
1238	11/24/98	Robert L. Johnson	Salary	(401.72)	(3,213.76)
1244	12/21/98	Robert L. Johnson	Salary	(3,815.46)	(3,815.46)
1250	1/23/99	Robert L. Johnson	Salary	(401.72)	(4,017.20)
1267	2/24/99	Robert L. Johnson	Salary	(401.72)	(4,418.92)
1275	3/24/99	Robert L. Johnson	Salary	(401.72)	(4,820.64)
Total Salary				(4,820.64)	
Taxes					
1172	4/18/98	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(98.56)	(98.56)
1183	5/23/98	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(133.12)	(133.12)
1192	8/24/98	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(98.56)	(198.68)
1202	7/24/98	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(98.56)	(266.24)
1210	8/23/98	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(98.56)	(332.80)
1218	9/24/98	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(399.36)	(399.36)
1226	10/12/98	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(98.56)	(485.92)
1237	11/24/98	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(98.56)	(532.48)
1245	12/21/98	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(98.56)	(596.04)
1257	1/23/99	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(98.56)	(695.60)
1268	2/24/99	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(98.56)	(732.16)
1276	3/24/99	Trustees of Arden	Taxes : ArdenTrustee-941-FTD	(98.56)	(798.72)
1169	4/11/98	Trustees of Arden	Taxes : ArdenTrustee-DE Quarterly UC-9	(8.81)	(807.33)
1187	7/5/98	Trustees of Arden	Taxes : ArdenTrustee-DE Quarterly UC-9	(9.14)	(816.47)
1225	10/12/98	Trustees of Arden	Taxes : ArdenTrustee-DE Quarterly UC-9	(9.14)	(825.61)
1248	1/9/99	Trustees of Arden	Taxes : ArdenTrustee-DE Quarterly UC-9	(9.14)	(834.75)
1256	2/1/99	Trustees of Arden	Taxes : PUTA 1998	(41.16)	(875.91)

Buzz Ware Village Center - Fiscal Year 1998-99 - by Category
 BWVC Checking
 3/25/98 Through 3/24/99

Num	Date	Payer	Category	Amount	Running Total
Total Taxes				(873.91)	
Utilities					
1170	4/1/98	Delmarva Power	Utilities: Electricity	(228.81)	(228.81)
1175	5/1/98	Delmarva Power	Utilities: Electricity	(200.90)	(429.71)
1187	6/7/98	Delmarva Power	Utilities: Electricity	(267.59)	(697.30)
1198	7/8/98	Delmarva Power	Utilities: Electricity	(264.89)	(962.19)
1206	8/12/98	Delmarva Power	Utilities: Electricity	(289.45)	(1,251.64)
1215	8/26/98	Delmarva Power	Utilities: Electricity	(323.50)	(1,575.14)
1219	10/12/98	Delmarva Power	Utilities: Electricity	(27.41)	(1,602.55)
1224	11/7/98	Conecty	Utilities: Electricity	(247.85)	(1,850.40)
1228	12/12/98	Conecty	Utilities: Electricity	(186.17)	(2,036.57)
1241	1/17/99	Conecty	Utilities: Electricity	(210.59)	(2,247.16)
1252	2/15/99	Conecty	Utilities: Electricity	(181.43)	(2,428.59)
1262	3/13/99	Conecty	Utilities: Electricity	(204.45)	(2,633.04)
1272	3/13/99	Conecty	Utilities: Electricity	(224.29)	(2,857.33)
1211	6/23/98	Burns and McBride	Utilities: Oil	(223.11)	(3,080.44)
1115/98	12/12/98	Burns and McBride	Utilities: Oil	(79.89)	(3,160.33)
1242	1/8/99	Burns and McBride	Utilities: Oil	(121.11)	(3,281.44)
1250	1/17/99	Burns and McBride	Utilities: Oil	(178.95)	(3,460.39)
1253	2/7/99	Burns and McBride	Utilities: Oil	(354.60)	(3,815.00)
1261	2/7/99	Burns and McBride	Utilities: Oil	(142.90)	(3,957.90)
1263	3/13/99	Burns and McBride	Utilities: Oil	(141.52)	(4,099.42)
1273	3/13/99	Burns and McBride	Utilities: Oil	(178.25)	(4,277.67)
1167	5/10/98	Bel Atlantic DE	Utilities: Phone	(31.47)	(4,309.14)
1178	5/30/98	Bel Atlantic DE	Utilities: Phone	(31.47)	(4,340.61)
1185	7/5/98	Bel Atlantic DE	Utilities: Phone	(31.47)	(4,372.08)
1198	8/5/98	Bel Atlantic DE	Utilities: Phone	(31.47)	(4,403.55)
1204	8/29/98	Bel Atlantic DE	Utilities: Phone	(32.00)	(4,435.55)
1212	10/4/98	Bel Atlantic DE	Utilities: Phone	(31.47)	(4,467.02)
1223	11/7/98	Bel Atlantic DE	Utilities: Phone	(32.65)	(4,499.67)
1230	12/28/98	Bel Atlantic DE	Utilities: Phone	(31.47)	(4,531.14)
1246	1/9/99	Bel Atlantic DE	Utilities: Phone	(31.47)	(4,562.61)
1251	2/1/99	Bel Atlantic DE	Utilities: Phone	(33.22)	(4,595.83)
1259	3/7/99	United Water	Utilities: Water	(34.03)	(4,629.86)
1179	5/16/98	United Water	Utilities: Water	(35.16)	(4,665.02)
1207	8/17/98	United Water	Utilities: Water	(177.60)	(4,842.62)
1238	11/26/98	United Water	Utilities: Water	(208.70)	(5,051.32)
1264	2/21/99	United Water	Utilities: Water	(222.02)	(5,273.34)
Total Utilities				(5,575.80)	
TOTAL EXPENSE CATEGORIES				(25,725.99)	

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Buzz Warr Village Center - Fiscal Year 1998-99 - by Category
BWWC Checking
3/25/98 Through 3/24/99

Num	Date	Payee	Category	Amount	Running Total
GRAND TOTAL				(487.83)	(487.83)

ARDEN TOWN ASSEMBLY
September 27, 1999
PROJECTED BUDGET (FY 2000 - 2001)

	NOTES	(2000-2001)	(1998-2000)	(1998-1999)
INCOME		PROJECTED	PROJECTED	ACTUAL
Land Rent		\$ 348,000	\$ 315,000	\$ 311,570
Delaware Municipal Street Aid		20,000	20,000	20,896
Interest and Other Income		24,000	24,000	31,520
SUB-TOTAL: INCOME		\$ 392,000	\$ 359,000	\$ 363,986
Reserve	1	117,189	148,117	138,103
TOTAL FUNDS AVAILABLE		\$ 509,189	\$ 507,117	\$ 502,089
EXPENSES:				
NON-BUDGET EXPENSES				
Property Taxes:				
County	2(a)	\$ 63,800	\$ 58,000	\$ 55,574
School	2(b)	180,000	148,900	145,646
Trustees Administration		40,684	36,520	30,986
Acquisition Committee/Craft Shop	3(a)	-	2,000	-
Centennial Celebration	10(a)	-	2,000	-
State Grant for Roads to Civic Committee		10,000	6,000	10,000
Delaware Municipal Street Aid - Roads		20,000	20,000	20,896
SUB- TOTAL NON-BUDGET EXPENSES		\$ 294,484	\$ 273,420	\$ 263,102
BUDGET EXPENSES		PROPOSED BUDGET for Referendum	APPROPRIATED	ACTUAL
Acquisition Committee/Craft Shop		\$ 2,000	\$ -	\$ -
Acquisition Committee/Craft Shop Matching Funds	3(b)	\$ 25,000	-	-
Archives	4	3,980	3,780	3,637
Board of Assessors		100	100	-
Buzz Ware Village Center		1,000	1,000	1,000
Buzz Ware Village - Renovation Project	5	6,000	6,000	6,000
Civic Committee:				
Roads		15,000	15,000	12,127
Commons & Forests		16,000	15,000	12,894
Trash Collection		38,000	36,500	34,885
Special Clean - up		2,000	2,500	500
Community Planning:		1,500	1,500	743
Urban Forestry Grant-Matching Funds		0	3,000	0
Arden Book Centennial Edition		-	7,851	-
Legislative Reference		300	300	0
Playground		1,700	1,550	1,543
Equipment	6	3,500	-	-
Registration	7	3,250	3,250	2,987
Safety - General		600	900	1,032
Welcome Hither		300	275	47
Salaries:	8			
Secretary		5,531	5,369	4,740
Bookkeeping - Town		2,273	2,205	1,944
Donations:				
ACRA		700	700	700
Arden Page		1,150	1,100	1,050
Arden Library		450	450	400
Fire Companies	9	950	950	850
Gild Hall Rental		800	700	650
Town Telephone		504	260	188
Town Watch Coordinator Fees		2,268	2,268	2,268
Centennial Celebration	10(b)	8,000	2,000	-
Fireproof File Cabinet, town secretary's records		1,000	-	-
Contingencies		2,000	2,000	685
SUB- TOTAL BUDGET EXPENSES		\$ 145,856	\$ 116,508	\$ 90,870
TOTAL EXPENSES		\$ 440,340	\$ 389,928	\$ 353,972

See accompanying notes to Projected Budget FY 2000 - 2001: Referendum in October 1999.

Notes: FY 2000 - 2001 Budget Projection
September 1999 Arden Town Assembly

1. Reserve FY 2000-2001: Previous years the Reserve was inflated due to a \$20,000 BWVC project which was authorized but not executed.
2. Property Taxes:
 - (a) County Taxes: These estimated figures are based on the following: FY 2000-2001, (10% increase or a total tax increase of \$5,800); with a 1% increase thereafter to reflect any increases based on assessed property values FY 2001-2002 (1% or total tax increase of \$638) and FY 2002 - 2003 (1% or total tax increase of \$645.)
 - (b) School Taxes: These estimated figures are based on partial implementation of proposed 15% school tax increase. This Referendum Vote originally scheduled for March 1999 was deferred indefinitely till the results of an audit are reviewed.
3. (a) Acquisition Committee/Craft Shop (FY 1999-2000): Special Town Meeting April 26, 1999: A motion was passed to request the Trustees to provide \$2,000 to fund the initial operations of the Craft Shop Acquisition Committee. If this money is not spent during the FY 1999-2000, it will carry over to the next FY 2000-2001.

(b) Acquisition Committee/Craft Shop(FY 2000-2001) - Matching Funds: Ability to raise funds from other sources requires commitment from the town at this point, contingent on approval of final project. If project does not close during this fiscal year, these funds will carry over for one additional fiscal year.
4. Archives: Rent \$182/Mo., \$2,184/Yr. - Payable to BWV. Projections exclude expansion of current space should that occur.
5. BWVC: Renovation Projects - consistent with master plan, e.g. electrical, storage and plumbing improvements.
6. Playground Committee: The \$3,500 is for new equipment to replace the giraffe. This includes equipment removal, purchase price of new equipment, installation, and site preparation.
7. Registration: Most costs are mailing costs. Predict adequate cushion for the next few years postal rate increases.
8. Salaries: FY 1997-1998 Actual Expenses for Bookkeeper: By way of motion those budgeted funds for Treasurer were expended under Trustees Administration for bookkeeping expenses.

Town Secretary/Town Bookkeeper:
July 1, 1995 - July 1, 1999 (5 years) the Delaware State Senate 139th General Assembly Senate Bill No.410 has increased the salary of each employee by 3.0 percent. Since these two positions are Town positions we base our projections on Delaware State economic indicators. Our projections for the next three years are consistent with the last five years of Delaware State Salary Adjustments of 3.0 percent increase respectively.
9. Donations: Fire Companies: Claymont Fire Co. \$650, Talleyville Fire Co. \$150 and Brandywine Hundred Fire Co. \$150.
10. (a) Centennial Celebration FY 1999-2000 : June 28, 1999 Arden Town Assembly approved Motion to request the Trustees to provide \$2,000 for the Centennial Celebration to recoup the \$2,000 that was lost due to a lack of a referendum note to (98-99 Budget) to carry the unspent money over to FY 1999-2000. Note was in place for FY 1999-2000 budget. If this money is not spent during FY 1999-2000, it will carry over to the next FY 2000-2001.

(b) Centennial Celebration FY 2000-2001: We estimate that total expenses for the year-long calendar of events for Arden's centennial will be approximately \$12,000, of which \$4,000 budgeted prior, balance of \$8,000 (not including cost of calendar). Some of this money will be recouped from sales of photo book.

TO ALL RESIDENTS OF THE ARDENS.

Most of us have enough grasp of Arden history to cite Henry George's single tax theories as one of our community's founding principles. What many of us tend to forget, however, is that one of the reasons our founders chose such a system is the opportunity it afforded people of modest means to both own their own homes and to earn their livelihood within the boundaries of the three villages. Frank Stephens makes this incontestably clear in an early brochure titled "Village Crafts and Industries" where he writes:

"But to all who know it, Arden offers more and more the opportunity for a fuller life as the prospect opens for its people to earn their livelihood by some creative work within the village itself. Thus it is hoped that eventually few will have to go to the city to work. Indeed the experiment cannot be regarded as a complete success otherwise".

It is important to note that while Arden's founders, Frank Stephens and Will Price, were thoroughly grounded in the philosophy of the English Arts and Crafts movement as popularized by William Morris and others, village industries were not restricted to crafts. House builders, truckers, and mushroom growers were "welcomed hither" as well. Nor were these business' restricted by zoning to the Craft Shop. The Roberts Studio, Woolery's grocery, Maude Rhodes' weave shop, the Mary Bruce Inn and many others were scattered throughout town.

This tradition of home based business' in the Ardens is currently under threat by New Castle County's proposed changes to the county ordinances governing home occupations. These changes will affect all home occupations, including arts and crafts, and to many of us this is unacceptable. In order to avoid laws intended for homogenous development being enacted in the Ardens we must take timely action to protect the traditional difference and individuality of our community. Other than taking back the responsibility of the zoning and its enforcement or each business individually applying for variances (both of which have serious drawbacks) there is one viable way to accomplish our needs. We have consulted with Ken Bieri, Planning Manager, NCC Planning Department and Wendy Danner, ESQ., NCC Legal Department and determined it is viable and legal to insert a section within the proposed code pertaining specifically and only to the three incorporated Ardens. This section would be authored by us and would be submitted to the county for inclusion and enforcement.

A committee was formed this summer to accomplish just this task and a rough draft of our work is attached for your inspection. Please review this document as soon as possible and contact one of us below with your questions, suggestions and comments. Note that this document must be officially approved by each of the three villages before submission to New Castle County for proposed inclusion to the code.

Sincerely,

Bill Busch	475-2205
Chris Coburn	475-5832
Amy Pollock	529-1261
Mark Taylor	475-1745

REVISION FIVE (5) AS OF SEPTEMBER 25, 1999

DRAFT OF THE THREE ARDENS FOR EXCEPTION TO THE NCC SECTION 03.420

ROUGH DRAFT - UNOFFICIAL DOCUMENT - APRIL 5, 1999

SECTION 03.420. **ACCESSORY USES, RESIDENTIAL HOME USES**

A. HOME OCCUPATION. Any home occupation as defined in Section 33.221(B), with the exclusion of the three (3) incorporated municipalities known as ARDEN, ARDENTOWN AND ARDENCROFT or THE ARDENS, i.e. hereafter known as The Three Ardens, and as further explained in paragraph 11 of this section, which is conducted in a manner such that the dwelling housing the occupation is indistinguishable from dwellings with no business use and which meets the following standards is permitted as an accessory residential home use as set forth below.

1. Employees: The owner of the home occupation shall be a full-time resident of the dwelling unit and subject to the following exceptions shall not employ any individuals other than family members who also are full-time residents of the dwelling unit.

a. Additional non-resident, on-site employees or independent contractors are permitted if the operator executes a Conditional Home Occupation Agreement. Upon execution of the Conditional Home occupation Agreement with the County, the operator may employ up to two (2) full-time non-resident employees or independent contractors at a time or up to four (4) part-time employees or independent contractors, provided only two are on the premises at one time. The agreement must be on the form provided, disclose the name and date of birth of all additional non-resident employees and/or independent contractors and be filed with the County Code Enforcement Office. All information on the written application is of a continuing nature. Any changes in the information on the application must be in writing and mailed to the County Code Enforcement Office within thirty (30) days of the change. The applicant for the Conditional Home Occupation Agreement must sign the application and represent that the contents of the certificate are true and correct to the best of their knowledge. Any person who falsifies any information on any application made with the Department shall be subject to criminal proceedings under title 11, chapter 5, subchapter III, subpart F of the Delaware Code or its successor. A Conditional Home Occupation Agreement is not required for home occupations, professional office or studios, which at the time of passage of this ordinance legally employed no more than two persons to provide secretarial, clerical or similar assistance.

b. A home occupation which provides a service that occurs off-site may have additional employees, provided such employees meet and work off-site and not at the subject residence.

2. Customers/Clients: The operator may meet with customers at the site provided that the frequency and consistency of traffic to and from the site in relation to the home occupation does not interfere with the community's comfort, safety or enjoyment of the neighborhood around the subject property as a residential area or create a visual or traffic annoyance to persons of normal sensibilities such that a public nuisance is created. High volume visits and traffic to and from the site during the hours of 8:00 am until 6:00 pm shall be prima facie evidence that the home occupation is not indistinguishable from other dwellings and creates a public nuisance in the residential neighborhood, in violation of this section.

3. Location, size and modifications: No home occupation shall be conducted outside the dwelling unit. The total area used to accommodate the home occupation shall not exceed twenty-five (25) percent of the total gross floor area (GFA) of the principal residential dwelling. No structural alterations or enlargements shall be made to the dwelling unit for the primary purpose of conducting the home occupation.

4. **Parking:** Adequate on-site, off-street parking shall be provided for all employees, customers, clients and/or pupils. The principal driveway serving the residence shall act as the parking area. Only the principal driveway may be used for parking in conjunction with the home occupation.
 5. **Hazardous materials:** Toxic, explosive, flammable, radioactive or other restricted materials used, sold or stored on the site in connection with the home occupation must conform to the New Castle County Building Code for residential uses.
 6. **Outside storage:** No outdoor display or storage of materials, goods, supplies or equipment related to the home occupation shall be permitted.
 7. **Deliveries and Pick-ups:** Truck deliveries or pick-ups of supplies or products, associated with the home occupation shall occur only within the hours of 8:00 am and 7 pm. Vehicles used for delivery and pick-up are limited to those normally servicing residential neighborhoods. No regular tractor trailer delivery shall be permitted.
 8. **Signs and displays:** No display of any products or operations that would create external evidence of the operation of the home occupation is permitted. No sign is permitted which will in any way advertise or identify the home occupation. No marked service vehicle, trailer or other equipment used in conjunction with the home occupation shall be parked on the property or contiguous street right-of-way so as to identify, advertise or otherwise attract attention to the home occupation.
 9. **Manufacturing, repairing, mechanical work:** No manufacturing, repairing or other mechanical work shall be performed outside the dwelling unit. When such activity is conducted inside the dwelling unit, it shall be conducted in such a way that no noise, heat, glare, odor, vibration, electromagnetic interference or smoke shall be perceptible at or beyond the property line.
 10. **Penalties.**
 - a. Each person who engages in a home occupation with on-site, non-resident/family employees or independent contractors without having filed this Conditional Home Occupation Agreement or updating the Conditional Home Occupation Agreement as required (except for those exempted as valid non-conforming uses at the time of the passage of this ordinance) shall be guilty of a violation of this chapter and subjected to a fine of up to \$100, or imprisonment for up to 10 days, or both. Each day that a violation of this Code section continues shall constitute a separate offense for which a separate conviction may be obtained and a separate penalty imposed.
 - b. Each person found to have included a false statement in the Conditional Home Occupation Agreement shall be subject to the penalties for violation of title 11, chapter 5, subchapter III, subpart F of the Delaware Code.
 - c. Each person found to have violated any other provision of this home occupation ordinance shall be guilty of a violation of this chapter punishable by a fine of up to \$100 or imprisonment, or both. Each day that a violation of the home occupation ordinance continues shall constitute a separate offense for which a separate conviction may be obtained and a separate penalty imposed.
- Section 33.221. **HOME USES**
- B. **Home Occupations:** Home occupation means any service, profession, occupation or trade which is conducted within a residential dwelling, and which does not change the essential character of the residential use. See Chapter 13, Table 03.110, for uses that are first allowed in districts other than traditional neighborhood, suburban transition, manufactured home, suburban, suburban estate and neighborhood conservation and that thus are excluded as home occupations under this definition; beauty and barber shops and schools are specifically prohibited.

11. This section pertains to the three incorporated municipalities known as Arden, Ardentown, and Ardencroft or The Ardens, i.e. hereafter known as The Three Ardens; which function under Deeds Of Trust and operate under Georgist economic principles. In recognition of the historical, philosophical and legal underpinnings of home occupations, artists, and craftspeople which the founders of these communities envisioned, and in an effort to protect the traditional differences and individuality of the Three Ardens the following code shall apply:

a. Employees: The owner of the home occupation shall be a full-time owner or resident of the dwelling unit and/or accessory structure, and shall not employ more than two (2) individuals or independent contractors, except upon written notification to the appropriate Village Secretary whereby the home occupation operator may then employ two (2) additional part time or seasonal employees or independent contractors. Any changes in the information on the notification must be in writing and are of a continuing nature. Changes must be filed with the appropriate Village Secretary within thirty (30) days.

A home occupation which provides a service that occurs off-site may have additional employees, provided such employees meet and work off-site and not at the subject residence.

b. Customers/Clients: Customers may be serviced at the site provided that the frequency and consistency of traffic to and from the site in relation to the home occupation does not interfere with the community's comfort, safety or enjoyment of the neighborhood around the subject property as a residential area or create a visual or traffic annoyance to persons of normal sensibilities such that a public nuisance is created. High volume visits and traffic to and from the site during the hours of 8:00 am until 6:00 pm shall be prima facie evidence that the home occupation is not indistinguishable from other dwellings and creates a public nuisance in the residential neighborhood, in violation of this section.

c. Size: The combined total area used to accommodate the home occupation shall not exceed 1000 sq. ft. of the principal residential dwelling and/or any accessory structures.

No home occupation can take place in any accessory structure built after the passage of this code.

OR

c. Size: The combined total area used to accommodate the home occupation shall not exceed twenty five (25) percent of the total gross floor area (GFA) of the principal residential dwelling and accessory structures.

No home occupation can take place in any accessory structure built after the passage of this code.

d. Parking: Adequate on-site, off-street parking shall be provided for all employees, customers, clients and/or pupils. It is preferred that the principal driveway serving the residence shall act as the parking area in conjunction with the home occupation.

e. Hazardous materials: Toxic, explosive, flammable, radioactive or other restricted materials used, sold or stored on the site in connection with the home occupation must conform to the New Castle County Building Code for residential uses.

f. Outdoor storage: No visible outdoor storage of materials, goods, supplies or equipment related to the home occupation shall be permitted.

g. Deliveries and Pick-ups: Truck deliveries or pick-ups of supplies or products, associated with the home occupation shall occur only within the hours of 8:00 am and 7 pm. Vehicles used for delivery and pick-up are limited to those normally servicing residential neighborhoods. No regular tractor trailer delivery shall be permitted.

h. Signs and displays: One (1) non illuminated sign up to 1 sq. ft., attached to the building is permitted. One (1) marked service vehicle up to two axles/one ton may be parked on the property.

i. Manufacturing, repairing, mechanical work: No manufacturing, repairing or other mechanical work shall be performed in such a way that is annoying or disturbing to persons of normal sensibilities. When such activity is conducted, it shall be conducted in such a way that no noise, heat, glare, odor, vibration, electromagnetic interference or smoke shall be perceptible at or beyond the property line.

OR

i. Manufacturing, repairing, mechanical work: No manufacturing, repairing or other mechanical work shall be performed in such a way that is annoying or disturbing to persons of normal sensibilities. When such activity is conducted, it shall be conducted in such a way that no noise, heat, glare, odor, vibration, electromagnetic interference or smoke shall create an annoyance to persons of normal sensibilities such that a public nuisance is created.

Penalties.

1. Complaints regarding home occupations within the geographical confines of the Three Ardens will be responded to and/or investigated after two complaints are received from different residences/domiciles within, adjacent to, or fronting The Three Ardens.

2. Each person found to have violated any provision of this home occupation ordinance shall be guilty of a violation of this section punishable by a fine of up to \$100 or imprisonment, or both. Each day that a violation of the home occupation ordinance continues shall constitute a separate offense for which a separate conviction may be obtained and a separate penalty imposed.

Section 33.221. HOME USES

B. Home Occupations: Home occupation means any service, profession, occupation or trade which is conducted within a residential dwelling and/or accessory structure, and which does not change the essential character of the residential use. See Chapter 13, Table 03.110, for uses that are first allowed in districts other than traditional neighborhood, suburban transition, manufactured home, suburban, suburban estate and neighborhood conservation and that thus are excluded as home occupations under this definition; beauty and barber shops and schools are specifically prohibited.

Legal home occupation uses that become non-conforming following adoption of this chapter may continue to remain as non-conforming situation and, pursuant to article 8 of chapter 13, any change in title or of right to possession shall not affect the continuation of the non-conforming situation. As set forth in article 8, that status of any non-conforming situation may be determined by the Department after public notice.

The effective date of this ordinance shall be 90 days from passage by New Castle County Council.

FILE NAME:AHOC-5

Don't Miss being a part of the Event of the Century!

Join your friends and neighbors in festive
garb and enjoy an afternoon of merry jest
and simple revelry in:

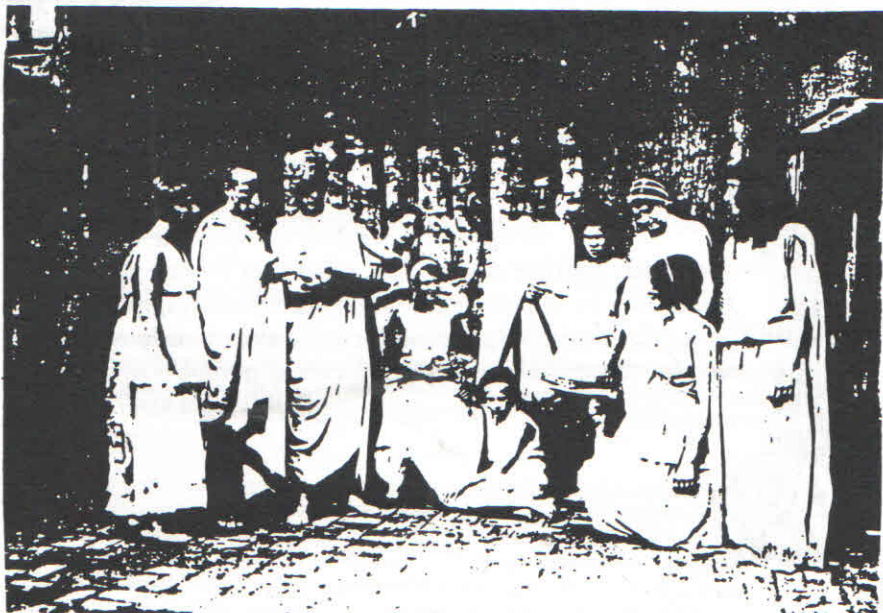
Arden's Centennial Pageant

May 20, 2000

All are welcome

We are planning this event now so

**Call Sadie 475-1745, Shari 475-5512 or
Beverley 475-2940 for ideas or to sign up!**



Fall into ACRA

The Fair is over and school is back in session, so join us as ACRA begins its fall calendar of events



The Pancake Breakfast in the Woods
10a Sunday October 3rd Indian Circle

A traditional fall favorite, serving until noon unless we run out first. We ask you please to leave dogs at home.

ACRA annual meeting

Tuesday October 12th, 7:30 p.m. Buzz Ware Village Center
All the community is invited to join us as we welcome our board and begin planning for another busy year of events. We also plan an amendment to the by-laws. Now is the time to volunteer and bring your suggestions for our schedule, including adult activities and new events.



Halloween Party

Sunday October 24th 6p-8p at the Gild Hall,
cosponsored with the Arden Club. Costume Parade leaves the Green at 5:45 to walk to the Gild Hall for snacks, games and stories. We're particularly hoping for volunteers to help set up & teens for the spookhouse. Bring a carved pumpkin to display.
Call Evelyn at 475-7074.

